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BOSTON PUBLIC LIBRARY

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Boston Public Library Employee Handbook



Thomas M. Menino, Mayor

Boston
Public
Library



An Equal Opportunity Employer

WWW.BPL.ORG

Human Resources 617-859-2356

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Dear Employee:

Welcome to the Boston Public Library, a department of the City of Boston.

The Boston Public Library is a world class institution in a world class city and an excellent choice for pursuing your career.

The Boston Public Library, established in 1848, was the first publicly supported municipal library in America, and the first public library to allow people to borrow books and materials, a truly revolutionary concept at the time. Today, the BPL has more than 6 million books; serves more than 2 million people in its 27 branch libraries around the city; and is the one of only two public libraries in the country that are members of the Association of Research Libraries. The BPL and all of its events are free and open to the public. At the Boston Public Library, books are just the beginning!

I encourage you to familiarize yourself with this handbook and to call the Human Resources Office with any questions.

Best wishes on your employment with the Boston Public Library.

Sincerely

Bernard A. Margolis
President

Boston Public Library Mission Statement

The mission of the Boston Public Library is to preserve and provide access to the historical record of our society and to serve the cultural, educational and informational needs of the people of the City and the Commonwealth. The Library serves as a municipal public library, a research library of "Last Recourse" for the Commonwealth, a regional public library headquarters, a host library for an academic and research library consortium, and a central site for a metropolitan area automated network.

Through its Research Library Services Program, the Library seeks to acquire, make available, preserve, and service significant research materials in all fields of knowledge. Based on subject strengths, these resources are made available for multi-purpose use on local, state, and national levels. In order to ensure that highly specialized research collections and information are available, the Library maintains professionally skilled staff and in-depth resources in a variety of fields.

Through its Community Services Program, the Library seeks to respond to the constantly changing library and information needs of the community by providing user-oriented services and resources, broad collections of circulating materials, current and back issues of popular periodicals, and rapid information and reference services. This Program also provides advice, assistance, and support for users; programs and exhibits to meet the developmental, cultural, and informational needs of the community; and outreach activities.

Approved by the Board of Trustees, 1988.

Boston Public Library Shared Values

The Boston Public Library functions within a framework of shared values. These shared values emphasize an employment environment of mutual respect, personal responsibilities, fairness, collaboration and service to patrons, the community, and the society of human thoughts and expressions.

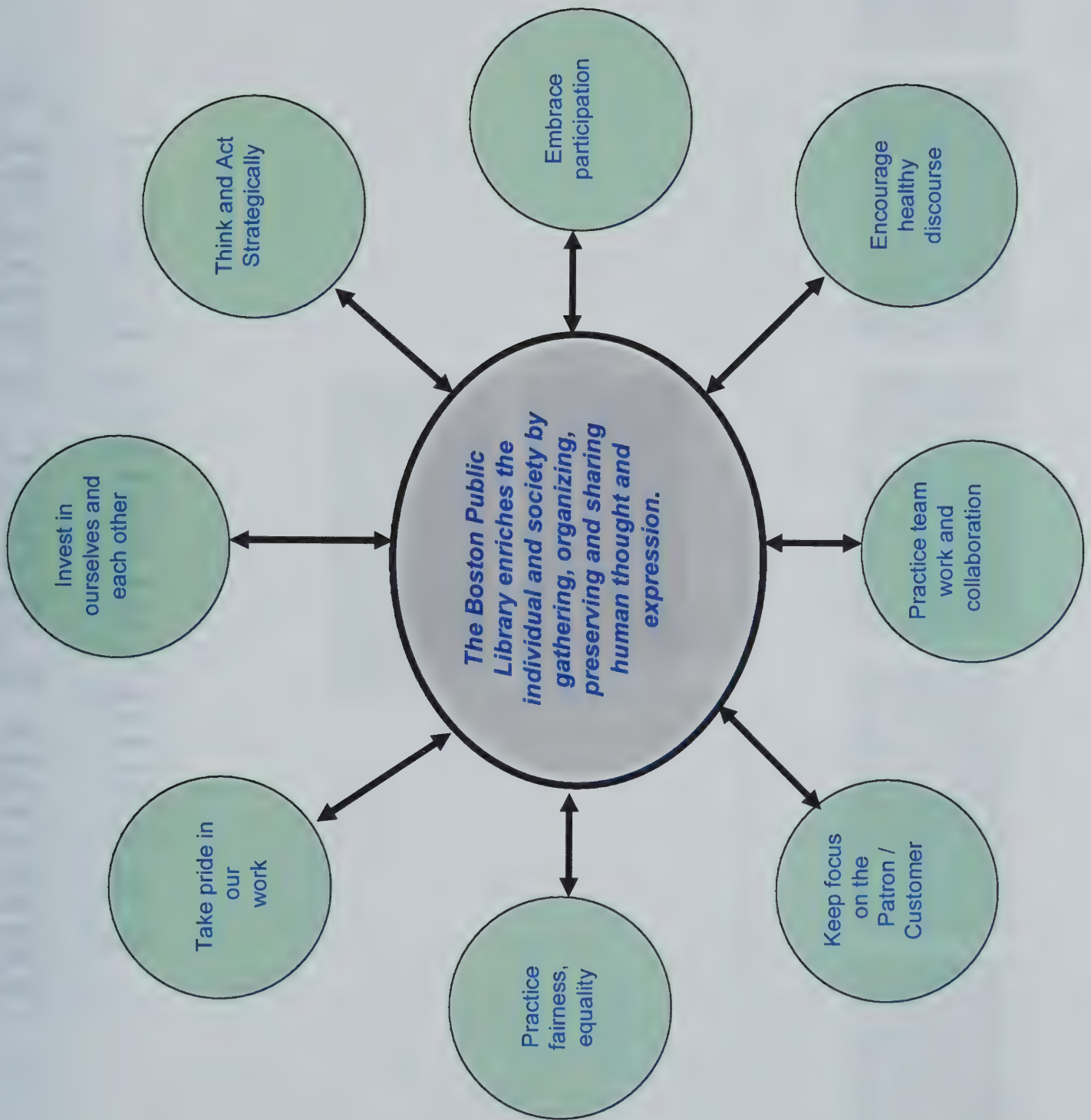
Report of the Committee on the State of the Union

The Committee on the State of the Union has the honor to present to the Senate and House of Representatives its report for the year 1898. The report is divided into two parts, the first of which contains a general statement of the condition of the country, and the second of which contains a detailed statement of the condition of the various departments of the Government.

The first part of the report contains a general statement of the condition of the country. It is divided into two sections, the first of which contains a statement of the condition of the country in general, and the second of which contains a statement of the condition of the various departments of the Government.

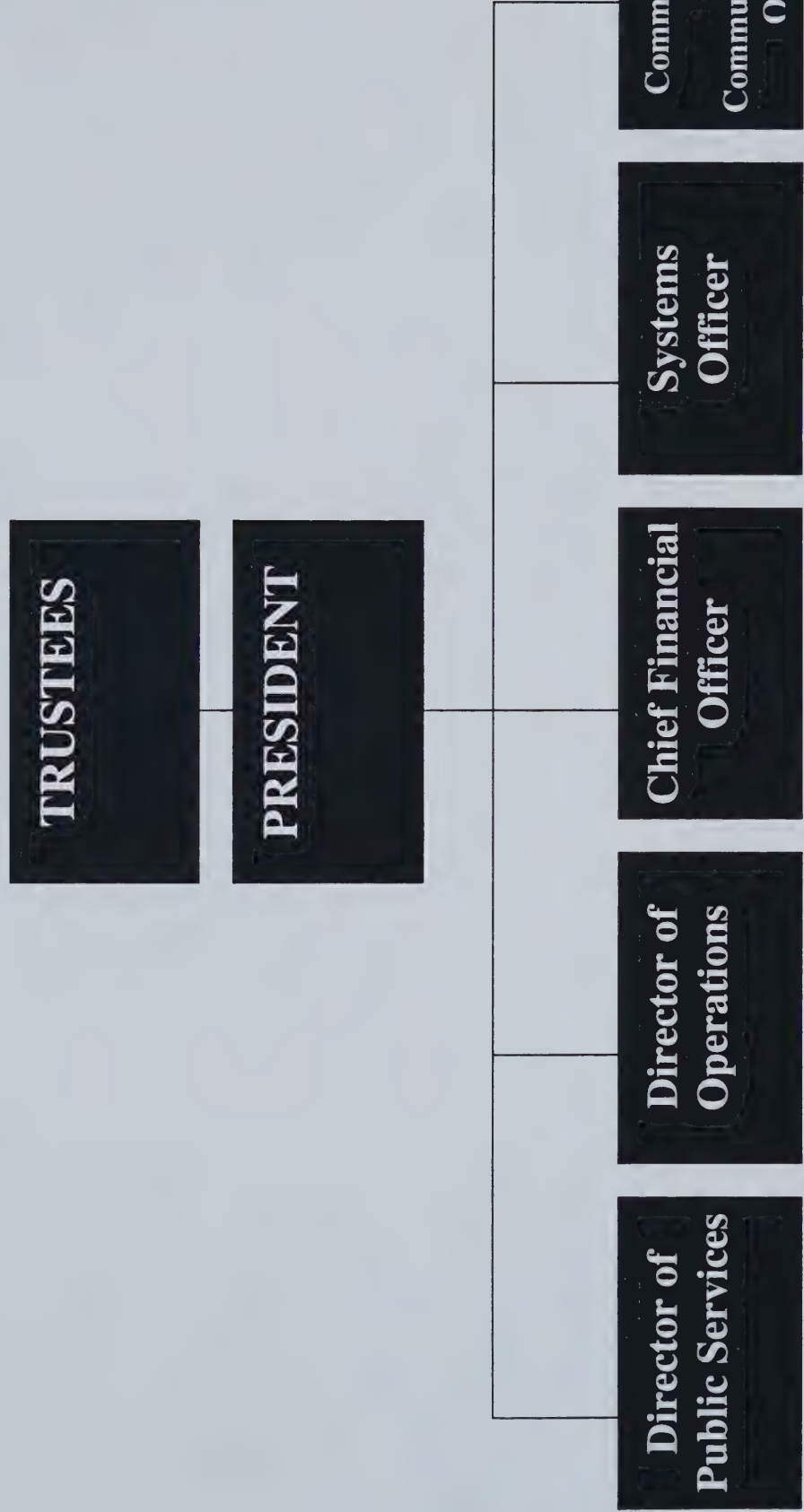
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Very respectfully,
The Committee on the State of the Union.



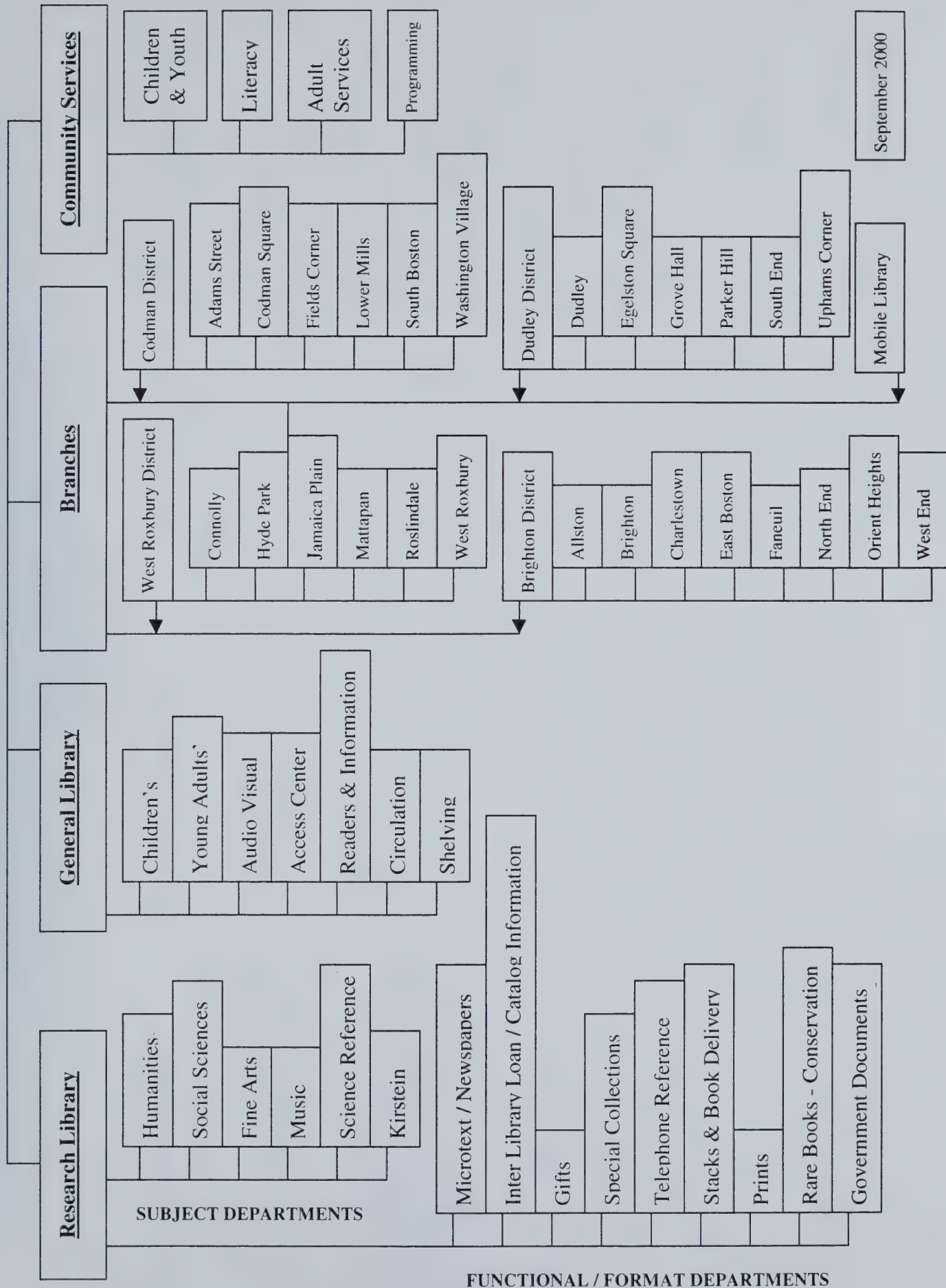
Boston Public Library

Organizational Chart



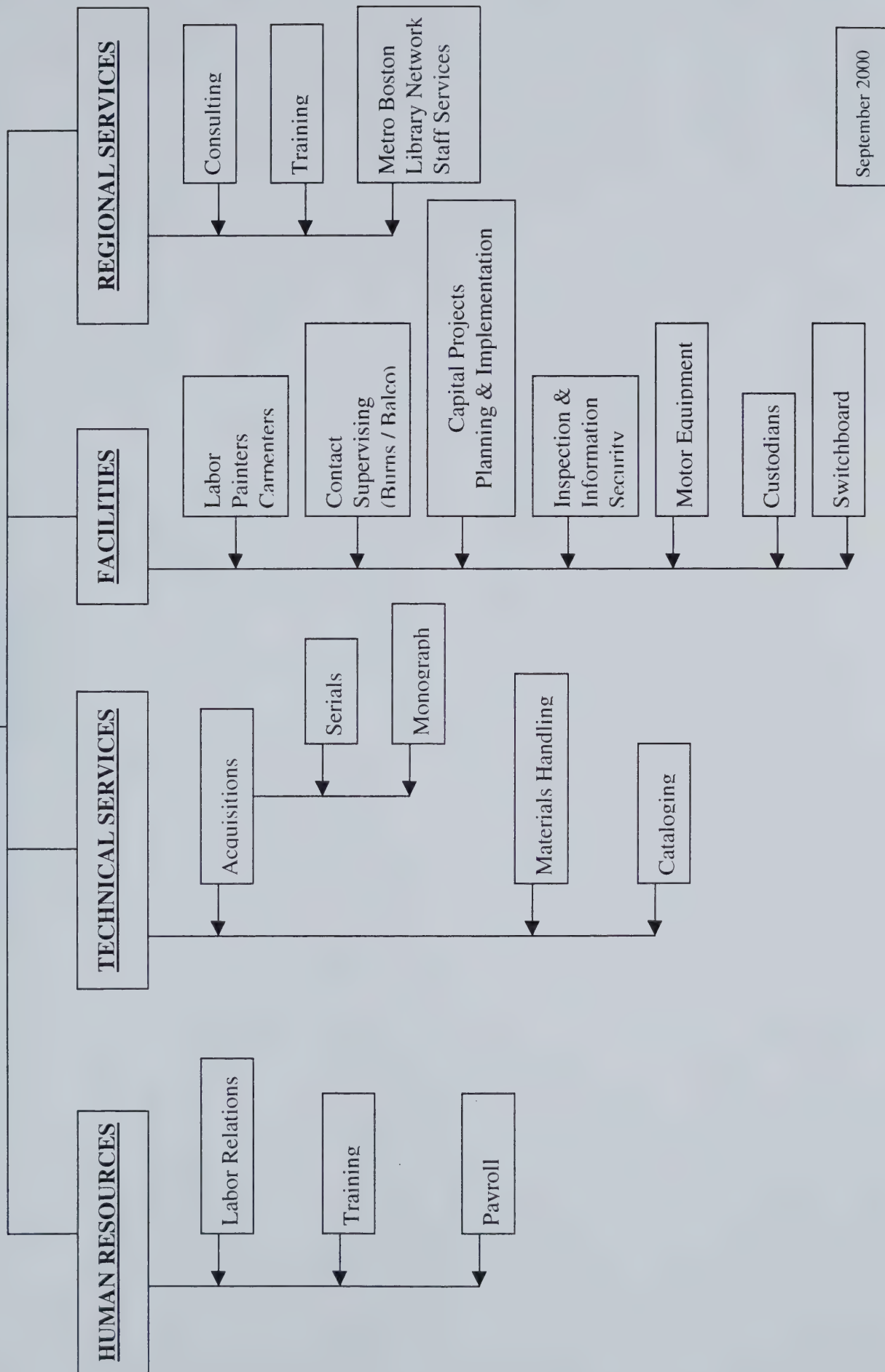
September 2000

DIRECTOR OF PUBLIC SERVICES



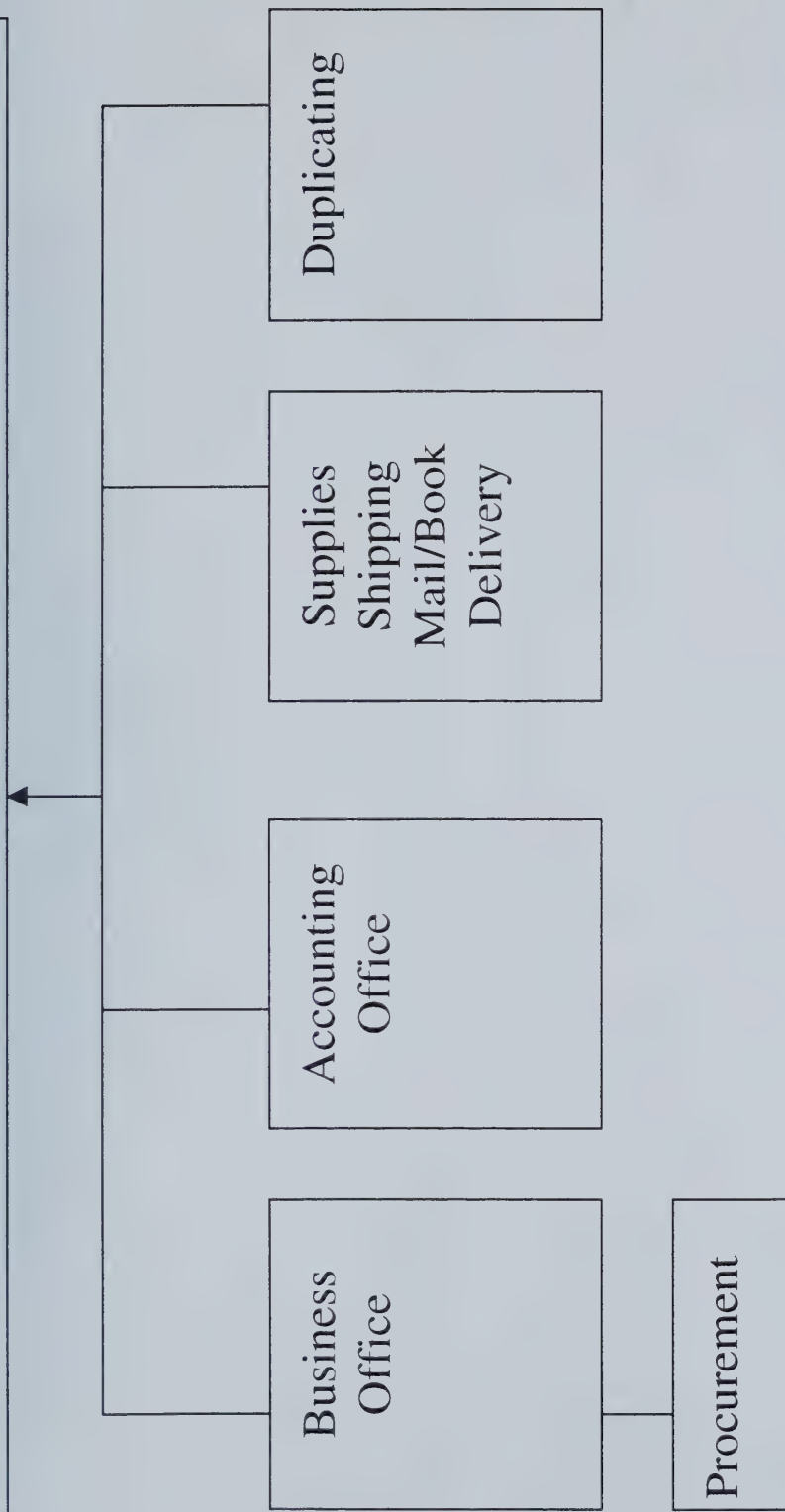
September 2000

DIRECTOR OF OPERATIONS



September 2000

CHIEF FINANCIAL OFFICER



SYSTEMS OFFICER

APPLICATIONS

INFRASTRUCTURE

TECHNICAL
SUPPORT

**COMMUNICATIONS AND COMMUNITY
AFFAIRS OFFICER**

Media Relations
Manager

Writer / Editor

Graphic Services

Volunteer Tour
Program

The Trustees of the Boston Public Library Of the City of Boston

Incorporated 1878

ACTS 1878. Chapter 114

(Incorporating Amendments of 1887, 1953, and 1995)

An Act to incorporate the trustees of the public library of the city of Boston.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. *{Incorporation of the Trustees}* The trustees of the public library of the city of Boston for the time being are hereby made a corporation by the name of the trustees of the Public Library of the City of Boston; and said trustees and their successors in office shall continue a body corporate for the purpose hereinafter set forth, with all the powers and privileges and subject to all the duties, restrictions and liabilities in the general laws relating to such corporations.

Section 2. *{Authority of Corporations to Take and Hold Property: Limitations}* Said corporation shall have the authority to take and hold real and personal estate to an amount not exceeding fifty million dollars, which may be given, granted, bequeathed or devised to it, and accepted by the trustees for the benefit of the public library of the city of Boston or any branch library, or any purpose connected therewith. Money received by it shall be invested by the collector-treasurer of the city under the direction of the corporation; and all securities belonging to the corporation shall be placed in the custody of the collector-treasurer; provided always that both the principal and income thereof shall be invested and appropriated according to the terms of the donation, devise or bequest. But nothing herein contained shall restrict the corporation

from bringing a petition in equity in the probate court or the supreme judicial court to be permitted to invest or appropriate the principal or income of funds or property held by the corporation in such manner as the court may be final decree authorize; and the corporation is hereby authorized to invest and appropriate in accordance with such degree.

Section 3. *{Trustees of the Public library, Appointment, Compensation, Etc.}* The Trustees of the Public Library shall be nine in number, appointed by the Mayor for a term of five years. Two members shall be appointed for an initial term of two years; two members shall be appointed for an initial term of three years; two members shall be appointed for an initial term of four years; and one member should be appointed for an initial term of five years. Trustees shall serve until the expiration of their term and until their successors are qualified. Whenever any vacancy shall occur in said Board of Trustees by death, resignation or otherwise, said vacancy shall be filled by the appointment of another trustee who shall hold office for the unexpired term. Members of said Board of Trustees shall not receive any pecuniary compensation, and shall be deemed to be

special municipal employee for the purpose of chapter 268A of the General Laws.

Section 4. {Organization of Board; Powers and Duties} The members of the board shall meet for organization on the first Monday of each May, and choose one of their number as president. They shall have the power to make such rules and regulations relating to the public library and its branches, and its officers and servants, and to fix and enforce penalties for the violation of such rules and regulations, as they may deem expedient: Provided, that the same shall not be inconsistent with the provisions of (Law).

Section 5. {Responsibilities of Trustees} The said trustees shall have the general care and control of the central public library in said city and all branches thereof, which have been or which may hereafter be established, together with the buildings and rooms containing the same, and the fixtures and furniture connected therewith, and also of the expenditure of the moneys appropriated therefor.

The said board of trustees shall Have full power and control of the design, construction, erection and maintenance of the central library building to be erected in the city of Boston, and are hereby fully authorized and empowered to select and employ an architect/architects to design said building and supervise the construction and erection thereof, and a superintendent or superintendents to take charge of and approve the work; but work upon said building shall not be commenced until full general plans for the building shall have been prepared, and no specific work shall be commenced until the same shall have been duly advertised, proposals for doing such work shall have been received from responsible parties, and contracts have been entered into with satisfactory guarantees for their performance.

Section 6. {Librarians and other officers} The said board of trustees may

appoint a superintendent or librarian with such assistants and subordinate officers as they may think necessary or expedient, and may remove the same, and fix their compensation: provided, that the amount thus paid shall not exceed the sum appropriated by the city council for that item of expense, and the income of any moneys which may lawfully be appropriated for the same purpose from funds or property held by said trustees under the provisions of this act.

Section 7. {Ordinances Pertaining To The Trustees} The city council shall have the power to pass such ordinances not inconsistent herewith or repugnant to other laws of the Commonwealth as to the duties and authority of said board, as they may from time to time deem expedient.

Section 8. {Enactment of the Law} This act shall take effect upon its passage.
{ Approved April 4, 1878 }

ACKNOWLEDGEMENTS

This handbook was written by the Boston Public Library Department of Human Resources together with the City of Boston staff of the Office of Human Resources in conjunction with the Office of the Chief Operating Officer and the Office of Labor Relations. In addition, the Boston Public Library would also like to thank the entire staff of the Department of Human Resources for their assistance in drafting this handbook. The Boston Public Library also acknowledges the Director of Human Resources and his staff who contributed time and expertise to taking this Employee handbook from a concept to a reality.

The Boston Public Library Employee handbook is a Department Specific supplement to the City of Boston Employee Handbook. Employees should refer to this Handbook for matters particular to the Boston Public Library and to the City of Boston Handbook for matters that apply to all employees of the City of Boston.

GENERAL DISCLAIMER

This manual is informational only. It provides general guidelines of the current policies in effect for employees of the Boston Public Library. Its provisions are not conditions of employment, they may be unilaterally modified, revoked, or changed at any time with or without notice. This manual was not intended to create, and is not to be construed to constitute or create a contract between the Boston Public Library and its employees. Probationary/ trial employees, as well as employees whose positions are not governed by collective bargaining agreements or civil service law, are at-will employees who can be subject to discharge at any time, for any non-discriminatory reason, with or without cause. Similarly, the Boston Public Library reserves its right to terminate any employee consistent with his/her respective collective bargaining agreement or civil service law, whichever is appropriate. Where collective bargaining agreements are in effect and come into conflict with the policy set forth, such collective bargaining agreements shall govern. Collective Bargaining Agreement language is quoted from the 1999 – 2002 Agreements which are subject to change in subsequent negotiations. This manual is intended only as a general summary of benefits and information for employees of the Boston Public Library.

I. EQUAL OPPORTUNITY WITH THE BOSTON PUBLIC LIBRARY

The Boston Public Library affirms its commitment to the principles of equal employment opportunity, non-discrimination and workforce diversity. It is our firm belief that any employment decision, policy or program, regardless of intent, which through its design, implementation or impact limits the full utilization of qualified individuals is not beneficial to the Boston Public Library. Therefore, the Boston Public Library proudly complies with all applicable anti-discrimination laws. Consistent with the law, the Boston Public Library will recruit, hire, train, and promote all persons without regard to race, color, gender, religious creed, national origin, age, sexual orientation, marital status, ancestry or disability. We will ensure that promotion decisions are made in accordance with the principle of equal employment opportunity by imposing only non-discriminatory requirements for promotional opportunities. Further, all personnel actions such as compensation, benefits, transfers, layoffs, returns from layoffs, and Boston Public Library sponsored training, education, tuition assistance, social, and recreational programs will be administered fairly and equitably and as required by the law.

II. EMPLOYEE STATUS DEFINITIONS

The following definitions have been established in order to standardize terminology and provide common understanding in our references to employees.

A. Regular Full-Time Employees

Those employees who work a minimum of thirty-five (35) hours weekly and who maintain continuous regular employment status are deemed full-time employees. Such employees will receive health insurance, creditable service towards retirement, holiday, vacation and sick leave benefits.

B. Regular Part-Time Employees

a. Employees working less than 35 hours weekly, but not less than 20 hours are deemed part-time employees.

Those employees who work less than 35 hours weekly, but not less than 20 hours weekly, and who maintain continuous regular part-time employee status are entitled to certain benefits. Such employees will receive health insurance, creditable service towards retirement, holiday, vacation and sick leave benefits, all on a prorated basis.

b. Library employees working less than 20 hours weekly

Those employees who work less than 20 hours per week are not eligible for holiday, sick leave, vacation time or health insurance. They are employees at will.

C. Seasonal/Emergency Employees

Seasonal/Emergency employees are those employees whose services are intended to be of a limited duration. For example, seasonal/emergency employees may be hired to work only for the summer months.

D. Non-Exempt Employees

Employees who are not exempted from the provisions of the Fair Labor Standards Act (FLSA) are deemed non-exempt employees. In general, these are employees who are not considered executive, administrative or professional and are paid at an hourly rate.

E. Exempt Employees

FLSA exempts executive, administrative, and professional employees from receiving overtime payment for hours worked in addition to their normal work week. Such employees are deemed exempt. Exempt employees follow the terms of the AFSCME Collective Bargaining Agreement for such benefits as vacation, sick leave, and salary.

F. Trial (Probationary) Employees (See Section IV (A), for more detail)

Newly hired employees within the first six months of their employment are deemed trial employees. This six month "probationary period" gives the Library the opportunity to assess the new employee's performance and decide if an employee is appropriate to be retained in employment. The burden is on the new employee to prove that he/she should be retained in employment and if the Library is dissatisfied the new employee may be terminated at any time during this six month period.

G. Management Employees

Management employees are exempt from union representation by virtue of their legal status as representatives of the appointing authority in carrying out the policy and collective bargaining responsibilities of the Library. The Trustees of the Public Library of the City of Boston have the statutory authority to establish such positions and establish their rates of compensation. The Trustees have delegated to the Library President the authority to hire and remove employees from such management

positions. Management employees follow the terms of the PSA Collective Bargaining Agreement for such benefits as vacation and sick leave. Management salaries are set by the Board of Trustees.

H. Unions

UNIONS

The Public Employees Collective Bargaining Law (MGL Chapter 150E) permits public sector employees to collectively organize to bargain over terms and conditions of employment, including wages and hours of employment. This law also permits employees to elect exclusive bargaining agents to represent them at the workplace.

The Library has two such exclusive employee representatives:

1. The Professional Staff Association (PSA)

The Professional Staff Association (PSA) represents employees in professional and pre-professional titles at the Boston Public Library, including Branch Librarians, Department Heads, Generalist Librarians, Children's Librarians and subordinate professional staff.

2. The American Federation of State, County and Municipal Employees, Council 93, Local 1526 (AFSCME)

AFSCME, Local 1526, represents library assistants, clericals, maintenance, and custodial staff at the Boston Public Library, including branch and main library staff.

COLLECTIVE BARGAINING AGREEMENTS

The exclusive collective bargaining agent (PSA and AFSCME) negotiates a collective bargaining agreement with the employer. This collective bargaining agreement represents the "contract" between the Boston Public Library and its employees. This agreement includes wages, hours of employment, overtime, paid leave, promotional and transfer procedures, holidays and other terms and conditions of employment.

It is important that you familiarize yourself with the Collective Bargaining Agreement covering your position so that you know your rights, obligations, and terms and conditions of employment. These may vary from agreement to agreement.

III. COMPENSATION and BENEFITS

A. Compensation

The goal of the Boston Public Library's Compensation program is to structure a wage, salary and benefit administration program which will attract, retain, and motivate a qualified and productive workforce.

The following sections highlight the compensation and benefit package that Boston Public Library employees receive.

a. Pay Day

Pay Day for Boston Public Library employees is Friday. When a pay day falls on a holiday, you will receive your check one day earlier. In general, pay periods commence on Saturday of each work week and end on the following Friday. In any event, the specific pay period will be noted on your pay check. New employees should receive their first pay check approximately 2 weeks from their start date.

If you have any problems with your pay, they should be brought to the attention of the Library Human Resources Department as soon as possible. Your pay check stub is the official record of your earnings, deductions, leave usage, accrual, and balances.

b. Payroll Deductions

Earnings and deductions are shown on your pay check stub. The Boston Public Library is required to withhold the following deductions from your wages:

- ☐ Federal Income Tax
- ☐ Massachusetts Income Tax
- ☐ State/Boston Retirement Plan
- ☐ Union Dues or Agency Fees, if applicable
- ☐ Federal Insurance Contributions Act (FICA) (Medicare only)

The following deductions are only made with your authorization:

- 1) Health Insurance
- 2) Life Insurance
- 3) Tax-sheltered savings (Deferred Compensation)
- 4) Savings Bonds
- 5) Credit Union
- 6) Charitable Donations

All questions regarding payroll deductions should be directed to The Boston Public Library Human Resources Department.

c. Step Rates

Step rate increases are annual pay raises in the month of the yearly anniversary date of hire. They are granted in accordance with the applicable compensation class covering your position. Anniversary dates may be adjusted when grade changes occur.

d. Overtime

Under specific circumstances, the Boston Public Library will pay overtime for actual, authorized work in excess of the normal workday or workweek based on the applicability of the compensation plans, collective bargaining agreements, and/or the application of the Fair Labor Standards Act (FLSA). All overtime work must have prior authorization by your supervisor.

Departmental work rules/regulations and financial controls regarding overtime must be adhered to in order to ensure conformance to the City auditor's requirements as well as the record keeping requirements under the FLSA. Consult the Boston Public Library Human Resources Department for information on proper overtime procedures.

AFSCME, Local 1526

The regular work week for full-time employees shall be as follows:

Library Assistants Service	thirty-five (35) hours
Clerical Service	thirty-five (35) hours
Mechanical Service	forty (40) hours

The regular workweek for any employee covered by this Agreement is five days, Monday through Friday, inclusive. It is understood that the regular workweek for certain other employees covered by this Agreement differs from the regular workweek set forth in the preceding sentence in that it may include regularly scheduled work, on a straight time basis, on Saturdays; and /or regularly scheduled (overtime) work on Sunday.

It is understood that all branches may be opened any number of months, up to and including 12 months, on Saturdays. Branch personnel may be assigned on Saturdays as part of their regular schedule. Consistent with the operational needs of the Library, such Saturday assignment shall be on a rotating basis at branches open Monday through Saturday and shall be on a straight time basis.

All authorized overtime service in excess of the regular workday or the regular workweek, or on the sixth and seventh days of service, shall be compensated on a time-and-one-half (1 ½) basis, except the mechanical Service employees who work seven days in a row shall be paid double time for work on the seventh day.

Employees shall not accept compensatory time off in lieu of monetary compensation for overtime work.

Professional Staff Association

The workweek shall normally consist of five (5) days of seven (7) hours each within a calendar week beginning Monday and ending Saturday. If so required by public service schedules, employees may be scheduled to work as few as four (4) and as many as eight (8) hours on a given day and two (2) evenings in a workweek.

It is understood that the workweek may include scheduled Sunday work at the rate of time-and-one-half the normal compensation rate on Sundays only during the period beginning with the first Sunday in October and extending through the last Sunday in May in departments that are open to the public.

Overtime may be paid or taken in compensatory time at the overtime rate, at the election of the employee, within a reasonable time after the date when the overtime was incurred. Overtime shall be paid with the approval of the Division Head; compensatory time shall be taken with the approval of either the Department Head or the Division Head.

e. Compensatory Time

Compensatory time must be approved, in advance, by an employee's supervisor or his/her Appointing Authority. Employees who work beyond their work schedule on their own volition are not eligible for compensatory time off.

Management and exempt employees are not entitled to overtime payments or compensatory time.

B. BENEFITS

a. Health Insurance

As a department of the City of Boston, the Boston Public Library offers its workforce a variety of Indemnity, Group Hospitalization and Health Maintenance Organizations. All Indemnity, Group Hospitalization and Health Maintenance Organizations health plans must be approved and authorized by the City. All regular employees who work at least 20 hours per week are eligible for health insurance coverage. Eligible employees must apply within 60 days of the start date of their employment. This deadline is important because employees who fail to apply within the 60-day period can only be enrolled during the open enrollment period held only once per year. Health Insurance coverage becomes effective two months after enrollment.

Currently, some examples of the health plans which the Boston Public Library offers its employees are:

- ☐ Blue Cross/Blue Shield-Master Medical
- ☐ Blue Cross/Blue Shield-Blue Choice
- ☐ HMO Blue
- ☐ Harvard Pilgrim HMO
- ☐ Harvard Pilgrim POS
- ☐ Neighborhood Health Plan
- ☐ Tufts Associated Health Plan

You may choose an individual plan or a family plan. The family plan covers yourself, spouse (marriage certificate required), and children up to 18 years of age (22 years of age with proof of student status). There are various co-pays for prescriptions and office visits depending on the plan chosen. HMO's are 90% paid by the City of Boston and indemnity plans are paid 75% by the City of Boston.

Employees interested in joining one of the health plans should contact the Boston Public Library Human Resources Department.

b. Dental / Vision Insurance

All regular employees of the Boston Public Library who work at least twenty hours per week and have been employed continuously for six months may elect Dental and Vision Insurance for themselves, spouses and children. This insurance is 100% employer paid (employees pay no premium). This insurance offers a closed plan of member dental and vision care specialists for which employees pay significantly reduced fees for services. This insurance also offers more limited reimbursements for the open plan if the employee seeks services from dental and vision providers not members of the plan.

c. Life Insurance

A \$5,000 life insurance policy is issued to Boston Public Library / City of Boston employees who join any of the medical insurance plans.

An Optional Life Insurance Plan is also available to Boston Public Library / City of Boston employees for an additional premium. Employees interested in additional life insurance should contact the Boston Public Library Human Resource Department.

d. Vacation

All Boston Public Library employees who successfully complete their 6-month trial (probationary) period and work at least 35 hours per week are entitled to full vacation leave benefits. Those employees who work 20 hours or more per week are entitled to vacation leave on a pro-rated basis.

Vacation is earned at different rates depending on years of service and credited to employees on January and/or July 1st of each year depending on your collective bargaining agreement.

For the purpose of determining vacation entitlement in a calendar year, employment with either the City of Boston, Suffolk County, or the Commonwealth of Massachusetts prior to your present employment with the Boston Public Library will be included in the determination of years of service for vacation purposes. Service for the sole purpose of determining vacation eligibility in the preceding year pursuant to Sections (c)(1) and (2) shall also include all paid vacation leave and up to sixty (60) days of any of the following activities:

- (1) paid or unpaid leave
- (2) military leave
- (3) sick leave

In addition to the above, up to one (1) year of disability leave (Worker's Compensation) may be counted toward length of continuous active service. Vacation leave must be approved in advance and may not be carried over from one year to another without express written authorization. Please consult your collective bargaining agreement and/or the Boston Public Library Department of Human Resources.

Any employee who has been absent with or without authorization for a total of more than sixty (60) days, excluding authorized vacation leave in any one calendar year must complete six (6) months of actual service to be vacation eligible as outlined in Sections (c)(1) and (2). Any period or periods during the six (6) months of service in which the employee is absent with or without authorization (including periods as short as one (1) day) shall extend the effective date of vacation eligibility. The six (6) month period shall begin on the day the employee returns from the last period of absence in the calendar year in which the employee has exceeded the sixty (60) day limit. An employee returning from an authorized leave of absence shall receive his/ her full vacation entitlement only upon the completion of the six (6) months of actual work.

If an employee transfers into a position covered by either Section (c)(1) or (2) without a break in service subsequent to January 1st in any given year, all prior service, as outlined in Section 3 above, shall be counted in accordance with Sections 1 and 2.

Prior to departure on vacation leave, an employee may be advanced vacation pay up to the employee's maximum entitlement up to 90 %. A request for advanced vacation pay must be made to the Department of Human Resources at least two weeks in advance.

Vacation leave allowance shall be paid to an employee who separates from employment with the Boston Public Library.

Vacation leave shall be taken at such time as, in the opinion of the Appointing Authority, will cause the least interference with the regular work of his/ her department. Vacation leave may not be carried over from one year to another without the express written authorization of the Division Head and the Director of Human Resources.

AFSCME, Local 1526

Full-time employees earn annual leave from the first day of employment.

Under no circumstances may annual leave be taken during the first six (6) months of employment.

Annual leave earned in one year may be taken after January 1 of the year following and is ordinarily used within that year. However, an employee at his/her own option may defer five (5) days annual leave from one year to the next. Permission to defer more than five (5) days can be allowed only with the express written permission of the Division Head, and failure to obtain such permission will result in cancellation on December 31 of unused annual leave in excess of five (5) days.

Scheduling of annual leave is at the discretion of the Division Head. Subject to the preceding sentence the vacation period shall be from January through December. No employee may take annual leave without permission from his/her Department Head and Division Head. When there is a conflict among employees in scheduling annual leave, an employee may appeal the decision to his/her Division Head.

Employees who are planning to leave the service of the Library will be permitted to use accrued annual leave prior to the last day of employment.

Annual leave is earned as follows:

- (1) During the first four (4) years, 0.2 days for each week of employment up to a maximum of ten (10) days annually.
- (2) After four (4) years and up to seven (7) years, 0.3 days for each week of employment up to a maximum of fifteen (15) days annually.
- (3) After seven (7) years and up to fifteen (15) years, 0.4 days for each week of employment up to a maximum of twenty (20) days annually.
- (4) After fifteen (15) years, 0.5 days for each week of employment up to a maximum of twenty-five (25) days annually.
- (5) After thirty (30) years, 0.6 days for each week of employment up to a maximum of thirty (30) days annually.

Service with the Commonwealth of Massachusetts, the City of Boston, or County of Suffolk shall be included in computing length of service for the purpose of determining annual leave.

Professional Staff Association

Full-time employees earn annual leave from the first day of employment.

Annual leave is earned at the rate of 0.4 days for each week of employment up to twenty (20) days annually. Employees with fifteen (15) years or more of service will earn annual leave at the rate of 0.5 days for each week of employment up to twenty-five (25) days annually. Effective July 1, 1997, employees with thirty (30) years or more of service will receive a sixth week of annual leave.

Employees hired after June 30, 1978, shall be credited with one-half (1/2) of their annual leave upon completion of their first six (6) months of employment, and may use this leave thereafter. On the July 1 or January 1 next following, they shall be credited with a pro rata amount of credit (equivalent to what they would have received if they resigned on that date), and they shall receive credit for one-half (1/2) of their annual leave on successive dates of July 1 and January 1 thereafter.

At any time an employee shall be allowed to carry his/her annual allotment of annual leave plus five (5) days. Permission to carry more than the above will be granted only with the express written permission of the Division Head, and failure to obtain such permission will result in the cancellation on January 1 of unused annual leave in excess of the above.

Scheduling of annual leave is at the discretion of the Division Head. No employee may take annual leave without permission of the Division Head.

Earned compensatory time or overtime may be taken as leave during the first six (6) months of employment, at the option of the new employee.

Employees who leave the service of the Library will be permitted to use all accrued annual leave prior to the last day of employment.

Service with the Commonwealth of Massachusetts, the City of Boston, or County of Suffolk shall be included in computing length of service for the purpose of determining annual leave.

Whenever an employee is certified as too ill to work during five (5) or more consecutive working days during a vacation period, he/she may at his/her option, after returning to work, charge one half of those days to sick leave and have restored as vacation for future use one half of the time he/she was ill.

Management and exempt staff should consult the Boston Public Library's policy (Appendix #10). Contact the Library Department of Human Resources with any questions.

e. Personal Days

Full-time employees on the payroll as of January 1st of each year will be eligible for three (3) paid personal days which may be taken during the following twelve (12) months. Any employee who begins his/her employment with the Boston Public Library after January 1st but before July 1st shall be entitled to a prorated amount of personal leave to be used in that same calendar year. Employees must schedule each personal day in advance to ensure efficient departmental operations and fairness in the distribution of work. Personal leave may not be used during an employee's trial probationary period. Moreover, personal days will not affect an employee's annual redemption of accrued sick leave.

AFSCME, Local 1526

Up to three (3) personal leave days each calendar year may be used to conduct personal business that could not be done outside of working hours. Such leave shall be taken in units of not less than a half hour (1/2) and not more than one day (seven hours or eight hours employee) fractions of half hour (1/2) shall be deemed a half hour (1/2)). No employee shall use personal leave on the day before or after a holiday or on the day before or after annual leave. Personal days may not be accumulated, redeemed for monetary payment or carried forward to the following year.

Except for emergency situations, an employee must obtain the prior approval of the Department or Division Head as to the timing of personal leave. Where reasonable notice is given to the Department or Division Head, approval will be granted provided the scheduling of personal leave does not render the particular library unit inoperative.

Employees must work six months to be eligible for personal days. After the sixth month of employment, personal days shall be prorated on the following basis:

Thirty-five hour employee	1 3/4 hours per month
Forty hour employee	2 hours per month

Professional Staff Association

All employees covered by this Agreement who have completed six (6) months of continuous active service for the Library shall be granted up to three (3) personal leave days each calendar year. Such leave shall be taken in units of not less than a half (1/2) hour and not more than 14 hours (fractions of a half (1/2) hour shall be deemed a half (1/2) hour). Except in emergency situations no employee shall use personal leave on the day before or after a holiday or on the day before or after annual leave. Personal days may not be accumulated, redeemed for monetary payment or carried forward to the following year.

Except in emergency situations, an employee must obtain the prior approval of the department or agency head as to the scheduling of personal leave. Where reasonable notice is given to the department or agency head, approval will be granted provided the scheduling of the personal leave does not unreasonably limit the operations or service provision of the agency or department.

Employees who have not completed six (6) months of continuous active service for the Library shall be granted personal days on a prorated basis.

f. Swing

Employees are entitled to two (2) Swing Days on January 1st of each year to be used or lost by the end of the calendar year. Employees hired after January 1st but before June 30th are entitled two swing days. Employees hired between July 1st and December 15th (Professional Staff Association) November 30th (AFSCME, Local 1526) are entitled to one (1) swing day. Swing days must be used or forfeited in the calendar year in which they are awarded. Swing days may be taken in hour-long units with the approval of a supervisor.

g. Holidays

Full-time employees are granted 13 paid holidays:

- | | |
|---|---|
| <input type="checkbox"/> New Year's Day | <input type="checkbox"/> Independence Day |
| <input type="checkbox"/> Martin Luther King Day | <input type="checkbox"/> Labor Day |
| <input type="checkbox"/> Washington's Birthday (Presidents Day) | <input type="checkbox"/> Columbus Day |
| <input type="checkbox"/> Evacuation Day (March 17) | <input type="checkbox"/> Veterans' Day |
| <input type="checkbox"/> Patriots Day | <input type="checkbox"/> Thanksgiving Day |
| <input type="checkbox"/> Memorial Day | <input type="checkbox"/> Christmas Day |
| <input type="checkbox"/> Bunker Hill Day (June 17) | |

If a holiday occurs on a day that an employee is not normally scheduled to work, a substitute day will be granted.

If you are a part-time employee working 20 hours or more per week with a holiday as scheduled work-time, you will receive pro-rated holiday pay.

AFSCME, Local 1526

If a holiday falls on a Sunday it will be observed on the following Monday.

If an employee is not required to work on any of the holidays listed in Section 1 of this Article which falls on his/her regular workday, he/she shall nevertheless be paid his/her regular weekly compensation for the workweek in which the holiday falls.

If the holiday falls during an employee's vacation or on his/her regular day off (such as Saturday) he/she shall receive, in addition to his/her regular compensation, either an additional day off or an additional day's pay on a straight time basis.

Custodial employees required to work holidays will be compensated at time and one-half (1 1/2) rate in addition to their regular weekly pay.

The City reserves and retains the right to determine whether an employee who works on a holiday shall receive additional time off or additional pay.

Professional Staff Association

If a holiday falls on a Sunday it will be observed on the following Monday.

h. Sick Leave

Authorized sick leave is an employee benefit to be used only for absences caused by: illness, injury, the serious illness of a member of the employee's immediate family, and illness or disability arising out of or caused by pregnancy or child birth. Employees who have completed six (6) months of continuous service with the Boston Public Library shall, subject to certain restrictions, be granted sick leave without loss of pay.

Sick leave shall accrue at the rate of 15 days per years, which are credited on January 1 and/or July 1 depending on the Collective Bargaining Agreement. Sick leave time not used may be accumulated and carried over for use in a subsequent year. When an employee leaves service with the Boston Public Library, he/ she shall not be entitled to compensation for accrued sick leave, except upon retirement.

In order to be entitled to sick leave without loss of pay, employees who are sick must notify their supervisor prior to the commencement of the work day and **in no event later than one hour after the start of his/her shift**. If you become ill during regular working hours and must leave work, you must notify your supervisor prior to leaving. If you are excused for illness after reporting to work, the remaining hours of the day will be charged against your earned sick leave balance.

Employees who are absent for five (5) consecutive days may be required to present a signed statement from a physician, nurse practitioner, or other licensed health care provider, confirming the necessity for such absence. When requested, physician's notes must be presented to your supervisor upon returning to work. The Boston Public Library reserves its right to request a physician's report for any requested sick leave usage.

An employee on Worker's Compensation Leave may use his/ her accrued sick leave allowance, provided that when such sick leave allowance is added to the amount of any disability compensation granted to the employee, it only results in payment of an amount equal to the employee's full salary for any particular work week.

Up to five (5) days sick leave credit will be restored to an employee's accumulated sick leave when such employee has used sick leave allowance between the date of injury on the job and the date disability (Worker's Compensation) is awarded, except that such sick leave shall be

offset proportionally by a disability benefit that is awarded retroactively to the date the disability was incurred.

AFSCME, Local 1526

The annual allotment of sick leave for employees is fifteen (15) workdays without loss of pay. On January 1 of each year, employees are allowed seven and one-half (7 1/2) workdays for illness without loss of pay, and on July 1 of each year employees shall be allowed seven and one-half (7 1/2) workdays for illness without loss of pay.

New employees are allowed one (1) day for each month or major portion thereof remaining in the year in which they are hired, but they must be employed continuously for six (6) months before becoming eligible for paid sick leave.

If the employment of an employee with accrued but unused sick leave is terminated by death, said employee's spouse or next of kin shall be paid an amount received by retiring employees. If such employee has no spouse or next of kin, the employee's accrued but unused sick leave shall be paid to his/her estate.

Allowance for sick leave is cumulative. Unused sick leave is carried forward at the end of each calendar year.

The Library will honor the unused sick leave balances of employees who transfer directly and without interruption of service from other City of Boston or Commonwealth of Massachusetts departments. However, sick leave accumulated elsewhere will not be counted toward the benefits of Sections 4(A) and 4(B) of this Article.

No employee shall be entitled to sick leave without loss of pay unless (a) the employee has notified his/her immediate supervisor of the absence and the cause thereof before the expiration of the first hour of absence or as soon thereafter as practicable; (b) the employee is unable to work due to illness, injury, exposure to contagious disease, or medical or dental appointments, or up to ten (10) days of existing sick leave annually is to be allowed for immediate family or household illness.. For periods of absence of five(5) consecutive working days or more, the appointing authority may require, as a condition precedent of his/her approval of such request, evidence in the form of health care provider or physician's certificate indicating the dates of the incapacity, the necessity of such absence from work, and containing the health care provider or doctor's signature and address. If the absences are occasioned by chronic illness, the Appointing Authority may require a letter at reasonable intervals.

At the employee's option any accumulation of sick leave in excess of 150 days may be converted to annual leave at the rate of one (1) annual leave day for each three (3) sick leave days. Such option must be requested in writing and once exercised may not be revoked at a later time.

The maximum accumulation is 250 days, and all unused sick leave above that will be converted to annual leave at the rate of one (1) annual leave day for each three (3) sick leave days

If the employment of an employee with accrued but unused sick leave is terminated by death, said employee's spouse or next of kin shall be paid an amount received by retiring employees. If such employee has no spouse or next of kin, the employee's accrued but unused sick leave shall be paid to his/her estate.

Whenever an employee is certified as too ill to work during five (5) or more consecutive working days during a vacation period, he/she may at his/her option, after returning to work, charge one half of those days to sick leave and have restored as vacation for future use one half of the time he/she was ill.

Absence for illness in excess of accumulated balances will be charged to annual leave, or, if none remains, to pay.

Professional Staff Association

Effective January 1, 1981, and each July 1 thereafter, all employees shall receive 7 ½ days of sick leave for use during the 6 month period except that new employees shall receive 1 day per month for each month of the year they are employed until the beginning of the next six month interval.

No employee shall be entitled to payment of sick leave without loss of pay unless (a) the employee has notified his/her immediate supervisor of the absence and the cause thereof before the expiration of the first hour of each day of absence or as soon thereafter as practicable; (b) the employee is unable to work due to illness, injury, exposure to contagious disease, or medical or dental appointments, or up to ten (10) days of existing sick leave annually for immediate family or household illness.

For periods of absence of five (5) consecutive working days or more, the Appointing Authority may require, as a condition precedent to his/her approval of such request for payment, evidence in the form of a health care provider's or physician's certificate indicating the dates of the incapacity, the necessity of such absence from work, and containing the health care provider's or physician's signature and address.

At the employee's option any accumulation of sick leave in excess of 150 days may be converted to annual leave at the rate of one (1) annual leave day for each three (3) sick leave days. Such option must be requested in writing and once exercised may not be revoked at a later time. The maximum accumulation is 250 days, and all unused sick leave above that will be converted to annual leave at the rate of one (1) annual leave day for each three (3) sick leave days.

In the last year before retirement, and if time permits, an employee may convert the first 150 days of unused sick leave time to annual leave at the rate of one (1) annual leave day for each four (4) sick leave days, and all days over 150 at one (1) for three (3).

Unlike much of private industry, employees are able to accumulate sick leave year after year. This is an especially important benefit in case of long-term illness or disability. Employees who abuse sick leave shall be subject to disciplinary action up to and including termination. Employees who fail to give proper notice shall be considered absent without authority and shall also be subject to disciplinary action.

Both the Professional Staff Association and AFSME Collective Bargaining Agreements provide for an extended sick leave bank from which employees who have exhausted their sick leave may make withdrawals so that they can continue on paid sick leave in special circumstances.

i. Medical or Personal Appointments

Medical or personal business appointments should be scheduled outside normal working hours. If this is impossible, they should be scheduled either first thing in the morning or late in the afternoon for minimal interruption of an employee's daily work.

It may also be possible for an employee to use his/her lunch period for some medical appointments with the prior approval of the employee's supervisor.

Requests for time off must be approved and submitted in writing to the employee's supervisor prior to the appointment. All time off must be documented, and charged to the appropriate authorized leave (e.g. sick, personal, vacation, swing).

j. Sick Leave Redemption

Sick leave redemption is a benefit enjoyed by Boston Public Library employees. It is designed as an incentive to encourage proper sick leave use. An employee who has used fewer than five (5) sick days in the twelve (12) month period ending on December 31st of any year may elect to redeem sick days in a lump sum cash payment. If you are on the payroll as of December 31st, and have completed at least six (6) months service but less than twelve (12) months of service, a pro-rated schedule will be used for your sick leave redemption payment. Cash payments are made in accordance with the following schedule:

Sick Days Used	Cash Redemption
0	5 days' pay
1	4 days' pay
2	3 days' pay
3	2 days' pay
4	1 days' pay
5	0 days' pay

The per diem rate will be the employee's rate on December 31st during the year of redemption. Redeemed sick leave is not subject to the provisions of the City of Boston's Managing Attendance Program. During January, the City will notify each qualified employee of his/her redemption options. An employee may elect to redeem all or part of his/her entitlement in full days. Unredeemed sick leave days will accumulate in the normal manner.

Unionized employees should consult their respective collective bargaining agreements for specific provisions on, and eligibility for, annual sick leave redemption. Some unionized employees may also be eligible for sick leave redemption upon retirement.

k. Leaves of Absence

1. Jury Duty

An employee who is required to serve on a jury shall be granted a leave of absence without loss of pay upon presentation of satisfactory evidence relating to jury service. Jury payments or fees must be submitted to the Library.

2. Bereavement

Employees who have completed their six (6) month trial period will be eligible for three (3) days paid bereavement leave in the event of a death of a spouse, father, father-in-law, mother, mother-in-law, brother, sister, child, grandparent, grandchild, or other members of the employee's immediate household including domestic partners. Leave without loss of pay under this paragraph shall not be deducted from sick leave or vacation leave. A trial probationary employee may take bereavement leave without pay at the discretion of the Appointing Authority or designee.

3. Military

An employee who is a member of a reserve unit of the armed services of the United States shall be granted, in accordance with Section 59 of Chapter 33 of the General Law, a leave of absence with pay during the time of his/her annual duty, provided that such leave will not exceed seventeen (17) working days.

4. Pregnancy - Maternity

Whenever a female employee shall become pregnant, she shall furnish the Boston Public Library with a certificate from her physician stating the expected date of her delivery. She may continue to work so long as her physician certifies that she is able to do so. Maternity leave without pay shall be granted, commencing with cessation of actual work under the preceding sentence, for a period not to exceed one (1) year after date of

delivery. Maternity Leave without pay shall also be granted to care for a newly adopted child under three years of age.

5. Parental

AFSCME, Local 1526 Professional Staff Association

Subject to the operating needs of the Library, an employee shall be granted one week unpaid paternal leave in order to attend to the birth, adoption, or care of a new child in the employee's immediate household. At the discretion of the Library, an employee may be granted an additional one (1) week unpaid leave. The employee may choose to use any accumulated vacation and/or personal leave for paternal leave purposes. Upon returning to work, the employee shall regain his previous position.

6. Medical

Subject to the operating needs of a department, an employee may be granted a maximum of one (1) year unpaid medical leave upon the submission of medical certification deemed adequate by the Boston Public Library. All requests for medical leave must be approved by the Division Head and Human Resources Director. The employee, upon his/her return to service, shall be placed in the same position he/she left or a similar position of equal classification.

7. Educational

Unionized employees should consult their respective collective bargaining agreements in order to determine their eligibility.

8. Personal Leave of Absence

AFSCME, Local 1526

While no employee has a right to leave without pay, a leave for any length of time for personal reasons, such as travel or study, may be allowed. Application for such leave should be made to the Appointing Authority in writing. Approval of such leave is at the discretion of the Appointing Authority in accordance with the needs and requirements of the Library.

Professional Staff Association

While no employee has a right to leave without pay, a leave of absence for up to one year for personal reasons, such as travel, study, or for the uncustomary care of a family or household member, or for professional reasons may be allowed. Applications for such leave should be made to the Division Head in writing. Approval of such leave is at the discretion of the Division Head in accordance with the needs and requirements of the Library. The employee must use any accumulated annual leave for this purpose. The employee may use swing holiday time for this purpose.

Employees who are eligible for sick leave under Article XV, Section 2 A and/or C must use accumulated sick leave for this purpose.

Upon returning to work the employee shall be restored to a position and pay status not less than that obtaining at the time of his/her departure and without loss of seniority or longevity, except that for any leave of absence of three months or less the employee shall be restored to his/her previous position.

I. Retirement Plan

In most cases, it is mandatory for City employees to be members of the City of Boston's retirement plan, which is formally known as the State-Boston Retirement System. The City of Boston Retirement System is a comprehensive system which under Massachusetts General Laws Chapter 32 provides defined benefit pensions to workers who have retired after a fixed number of years of service and age or who have become disabled.

It is important to note that G.L. Chapter 32 is a complex and continually developing statute. It has many exceptions and special rules relative to specific jobs, groups of employees and circumstances. An employee's retirement is always subject to the provisions of Chapter 32.

In general, employees first hired by a Massachusetts public employer, on or after July 1, 1996, must contribute nine (9) percent of their earnings to the retirement system. If the employee earns more than \$30,000.00 per year, an additional two (2) percent of his/her earnings over \$30,000.00 will be deducted.

Employees who have had prior service with a Massachusetts public employer and who did not "refund" their retirement account, will have deductions from their weekly salaries, as follows:

-Employed prior to January 1, 1975:	5%
-Employed after January 1, 1975, but before January 1, 1984:	7%
-Employed after January 1, 1984, but before July 1, 1996	8%
-Employed on or after July 1, 1996	9%

Note: For individuals employed after January 1, 1979, an additional two (2) percent of their earnings over \$30,000.00 will be deducted.

This money, known as a contribution or deduction, goes into an Annuity Savings Fund account in the employee's name. Should an employee terminate his/her employment with the City of Boston with less than ten (10) years of creditable service, with a few exceptions, the employee will

be eligible to withdraw his/her retirement account (minus appropriate income taxes) or roll the account into an eligible IRA.

An employee who terminates his/her employment with the City of Boston after attaining ten (10) years of creditable service, may be eligible to withdraw his/her account with interest or apply for super annuation retirement (if age 55 or older).

An employee who is laid-off or terminated from employment by his/her employer, may be eligible to withdraw his/her account or roll-over the account to an eligible IRA with interest on the account regardless of his/her years of creditable service.

In order to become a formal and recorded member of the retirement system each employee must complete an "Enrollment Form" which is provided by the Boston Public Library Human Resources Department. Once completed, this form is forwarded to the State-Boston Retirement Board.

The "Enrollment Form" asks for basic personal and employment information. Particular attention should be paid to indicating dates of prior membership in any other "System." This information is useful if the employee wants to transfer his/her membership to the City of Boston in order to reestablish credit towards retirement.

Further, in order to complete the enrollment process, the employee needs to file a copy of his/her birth certificate with the State-Boston Retirement Board.

Any questions an employee may have concerning his/her retirement plan should be addressed to the Members Service Unit of the State-Boston Retirement Board at (617) 635 – 4305.

(For more details on retirement and related issues, please contact the Library's Department of Human Resources for a copy of the State-Boston Retirement System Retirement Guide.)

m. Deferred Compensation Alternatives

City of Boston employees are eligible to invest pre-tax dollars through payroll deductions into the Commonwealth of Massachusetts' deferred compensation plan. "Deferred Compensation" permits you to defer up to 25 percent or \$8,500* of your salary (whichever is less) from Federal and State taxes. Money continues to accumulate tax free until you withdraw from the plan.

The City's Deferred Compensation Plan is administered by the Aetna Insurance Company. To set up an appointment, call 1-800-584 -6001 or the local office at (617) 328-8868.

*This amount is subject to change commensurate with current laws. check with your Aetna Representative for current maximum withholdings.

n. Employee Assistance Program

The City's Employee Assistance Program (EAP) is designed to assist City employees and their immediate families in the prevention, recognition and treatment of drug and alcohol dependence and other personal problems, such as but not limited to, stress, grief, marriage, family issues and emotional concerns.

EAP referrals will be kept strictly confidential. Employees who recognize a problem in their own lives may volunteer for the program. City employees should feel confident that participation in the EAP will not jeopardize their reputations, job security or promotional opportunities. However, it should be noted that employees are always responsible for maintaining an acceptable level of job performance, conformance to departmental rules/regulations and personnel policies.

To contact the EAP 24 hours per day, 7 days per week, call (617) 635-3523 (Monday through Friday, 9:00 a.m. to 5:00 p.m.), at all other times call (617) 635-4500 (an operator will page a counselor who will then return your call as soon as possible).

o. Direct Deposit

Direct Deposit is a banking service the City of Boston offers to its employees. If you choose to join, it enables the City to deposit your check directly into your checking, savings, or N.O.W. account without writing you a check.

All City employees are eligible to participate except for those employees who have a wage assignment or attachment in effect.

Wage assignments include: IRS Levies, Commonwealth of Massachusetts Levies, Child Support Assignments, Trustee Assignments, etc. If an employee incurs an assignment or attachment, Direct Deposit will be discontinued and payments will be made by check.

Authorization forms for direct deposit may be obtained from the Boston Public Library Human Resources Department to be forwarded to the Treasury Department.

An employee may cancel his/her direct deposit at any time. This cancellation must be in writing and delivered to the Treasury Department by Human Resources. Once an employee cancels his/her direct deposit, it cannot be reinstated for a period of three months.

p. Credit Union

Boston Public Library employees are eligible to join the City's Credit Union. The Credit Union offers various savings and checking accounts at

competitive interest rates. (Such accounts include regular savings, club accounts, now accounts, money market accounts and Individual Retirement Accounts). The Credit Union also offers its members term certificates at competitive interest rates.

Participating employees may also obtain various loans from the Credit Union. As an additional convenience, employees with Credit Union accounts may have both savings and loan payments automatically deducted from their weekly paychecks.

All deposits in the Credit Union are fully insured. The City of Boston Credit Union is not City agency, it is an independent state-chartered corporation which operates under the laws and regulations of the Commonwealth of Massachusetts. For more information, please contact the Credit Union at 635-4545.

q. Money Saving Programs

Periodically, the City offers its employees various money saving programs. Please check with the Boston Public Library Human Resources Department for current and future programs.

r. COBEC

The City of Boston Employee Campaign (COBEC) is a yearly charitable contribution program, which permits employee to make direct charitable contributions or payroll deductions to a wide range of charities.

s. MBTA Pass Program

Employees may elect to receive a monthly MBTA pass for trolley/ bus/ subway/ commuter rail services by payroll deduction. The cost of the pass is deducted on a pre-tax basis. Contact Human Resources for further information.

IV. EMPLOYEE ETHICS

A. Financial Disclosure Statements

The City of Boston Office of Human Resources will implement and enforce the following financial disclosure policy for all City employees who hold policy-making responsibilities.

Policy-making responsibility shall mean:

- individuals who exercise appointing authority:
- individuals who are authorized to execute contracts on behalf of the city:

- individuals who receive more than fifty thousand (\$50,000) dollars gross payroll compensation from the City in any 12-month period in which the individual served more than thirty days, and
- such other policy-making positions as the Director of Personnel may determine.

The City's financial disclosure policy shall not apply to:

- the Boston City Council and its employees;
- independent contractors, and
- uncompensated special municipal employees.

City employees shall make all required financial disclosures within thirty days of initial appointment or promotion to a position subject to this policy, provided that no additional disclosure shall be required if the person who is so appointed or promoted has made financial disclosure in the preceding 12 months.

The City of Boston Office of Human Resources shall prepare and publish a list of all positions subject to this policy on or before May 1 of each year. Thereafter, and in no event later than June 1 of each year, the Office of Human Resources shall give written notice to every person holding a position subject to this policy that financial disclosure must be made on or before July 1 of each year for the period encompassing the previous calendar year. It shall be the responsibility of the Office of Human Resources to prepare and publish forms for the financial disclosure required by this policy. Said forms shall require disclosure of all of the information required to be disclosed by the state financial disclosure law, except that disclosure shall be required only of the city employee and his or her spouse and not of any dependent child. Copies of said forms shall be provided by the Office of Human Resources with each notice hereunder. The Office of Human Resources may adopt the forms prepared and published by the State Ethics Commission pursuant to Massachusetts General Laws chapter 268B.

Every person subject to this policy who fails to comply with the provisions hereof shall be subject to progressive discipline up to and including termination.

The City of Boston Office of Human Resources shall maintain a file of financial disclosure statements filed hereunder and shall make financial disclosure statements filed under this policy available for public inspection and copying during regular office hours upon the written request of any individual who provides identification acceptable to the Director of Human Resources, including his/her affiliation, if any, at a charge consistent with 950 C.M.R. 32.06 governing fees for public records; the Office of Human Resources shall forward a copy of said request to the person whose statement has been examined.

Subject to the written approval of the Mayor, the Director of Human Resources is hereby authorized to prescribe and publish such additional

rules and regulations as shall be deemed necessary to carry out the purposes of this policy.

B. Conflict Of Interest Law

The following sections are intended as general guidelines regarding Massachusetts Conflict of Interest law. Any specific questions about how the Conflict of Interest Law would apply in a specific situation should be directed to Gary Sandison, Special Assistant to the Mayor at 617-635-4476 or the Legal Division of the State Ethics Commission at 617-727-0060.

a. Purpose of the Law

The purpose of the conflict of interest law is to ensure that public employees' private financial interests and personal relationships do not conflict with their public obligations. The law is broadly written to prevent a public employee from becoming involved in a situation which could result in a conflict or give the appearance of a conflict.

The law restricts what a public employee may do:

1. on the job
2. after hours (or "on the side")
3. after leaving public service.

b. Who the Law Governs

Municipal Employees:

The conflict of interest law regulates the conduct of public officials and employees (referred to collectively in the law as "employees") at the state, county and municipal levels of government. The term "employee" at each level is defined expansively. You are considered a municipal employee if you hold any office, position, employment or membership in any municipal agency. It does not matter whether you are paid or unpaid or whether you serve full-time or part-time. People who work as consultants or on an intermittent basis are generally covered, as well. For example, unpaid members of local town or city boards or commissions are municipal employees, as are private citizens serving on a special advisory committee appointed by the mayor or board of selectmen to make recommendations on a specific issue.

c. How Conflict of Interest Law Affects Municipal Employees

1. Restrictions 'on the Job'

a. Bribes (Section 2)

The conflict law prohibits all public employees from seeking or receiving bribes, gifts, promises, or anything else of value in return for an official favor or a promise of action or inaction. In addition, the law prohibits public employees from accepting anything of value in exchange for committing any fraud on a state, county or municipal agency (or allowing anyone else to commit such a fraud). Finally, the law prohibits public employees from being influenced in giving testimony under oath or rendering themselves unavailable to testify. (The conflict law does not prohibit a public employee from receiving witness fees and other expenses allowed by law for testimony.)

A public employee violates Section 2 if the employee acts with a "corrupt intent." As a general rule, whenever there is an agreement that a public official will receive something of value from a private party for certain official action (or inaction), that agreement is sufficient evidence that the public employee is acting with corrupt intent.

The bribery section of the conflict law also applies to private parties; *anyone* who bribes or attempts to bribe a public official violates the conflict law and faces criminal sanctions.

The item of value which is solicited or accepted need not be money. Trips, for example, or improvements to one's home would be covered. The item of value need not be for the benefit of the public employee personally, but may be for the benefit of another person or an organization.

b. Gifts (Section 3)

It is illegal to request or accept anything of "substantial value" from anyone with whom you have or are likely to have official dealings (absent some family or social relationship which would explain the gift) even if the motivation for the gift is to express gratitude for a job well done or to foster goodwill.

It is also illegal for a *private party* to offer or give anything of substantial value to a public official or employee if it is given "for or because of" some act the official or employee has performed or will perform; this is true even if there is no corrupt intent on the part of either the giver or the receiver.

In 1976, the Massachusetts Appeals Court decided that \$50 is "substantial value." In 1985, the Commission issued a similar ruling. Items of "substantial value" range from cash, additional compensation

and tips to free tickets and passes to entertainment events. In addition, free or discounted services such as construction or accounting work are considered gifts.

c. Restrictions on Official Actions (Section 19)

Public employees must not act in their official capacities in matters in which they have a personal financial stake. The law also recognizes that the objectivity and integrity of municipal employees may be compromised if they act on matters affecting the financial interests of people or businesses with whom they are closely related.

Section 19 of the conflict law does not prevent municipal employees from having private financial interests or dealings in their town, but it does restrict what official actions, if any, they may take with respect to their private financial interests.

d. Acting on Private Financial Interests

To prevent public employees from using their positions to further private interests, the law prohibits municipal employees from participating in a “particular matter” in which they know that they personally, their immediate family or a business they are closely associated with has a financial interest. They are specifically prohibited from acting on matters affecting:

1. themselves;
2. their “immediate family” (the employee and his/her spouse and their parents, children, brothers and sisters);
3. their partner;
4. a business organization in which they are serving as an officer, director, trustee, partner or employee (for example, if a municipal employee is an unpaid trustee of a private school she may not participate in a particular matter in which the school has a financial interest, even if she has no personal direct financial interest herself); or
5. any person or organization with whom they are negotiating for or have any arrangement concerning future employment.

In summary, municipal employees may not act in their official position on any matter affecting the financial interest of themselves, their families or their businesses.

e. Acting on a Competitor’s Financial Interest

The conflict law restricts municipal employees from taking any official action which would affect the financial interest of their business competitors. Such action will ultimately affect the employee’s own financial interest. The employee may also not take official action on matters concerning the competitors of his/her immediate family, business or employer.

There is no one easy "rule" for local officials to rely upon when deciding who an official's competitors are in any particular instance. In an advisory opinion concerning a liquor license, the Ethics Commission indicated that local authorities are often in a better position than the Commission to identify the local factors which would make a liquor license holder a competitor. In that opinion, we suggested that the appointed official rely on his appointing authority to make such a determination. Elected officials should seek guidance from City counsel or from the Commission when faced with a similar issue.

f. Acting on Matters Affecting Family (Nepotism)

The conflict law prohibits a municipal official from participating in any particular matter affecting the financial interests of an "immediate family member." The purpose of the broad prohibition against acts of nepotism is to prevent potential conflict or the appearance of favoritism which arise whenever a public official's personal loyalty to a family member competes with the need to make objective personnel decisions. "Immediate family member" is defined in the law as the employee and his/her spouse and their parents, children, brothers, and sisters. The following specific acts are prohibited:

1. hiring a family member;
2. *any* significant involvement in a hiring process in which a family member is an applicant. e.g., interviewing or creating a test for applicants;
3. *any* significant involvement in the reappointment, promotion, reclassification, demotion or firing of any family member;
4. determining a family member's salary (including approving "automatic" increases such as annual step increases);
5. conducting a job performance review of a family member;
6. day-to-day supervision of a family member;
7. delegating the task of dealing with an immediate family member to a subordinate.

A. Voting on Budgets Including Family Members' Salaries

In situations where a municipal official's immediate family members is also employed by the City, the official may not participate in any discussion or vote on any line item of a budget which would affect the family member's salary. The best course of action is simply to leave the room during the deliberation and vote of the board. The prohibition includes voting on a budget which will merely maintain the salary of an immediate family member at its present level or approving "automatic" salary step increases in a budget. The prohibition applies even in cases where a number of other employees are given similar increases.

B. Appearances of Favoritism

Some relatives such as cousins, aunts and nephews are not "immediate family" members for purposes of the conflict law. However, a public

official's actions regarding these relatives may violate the Standards of Conduct (Section 23) of the conflict law.

Section 23 prohibits a public official from giving the impression that he/she can be improperly influenced by someone or that a relative could receive preferential treatment because of kinship. A public official must be careful to avoid this appearance of favoritism. The law states that an appointed public official will dispel this appearance by making a written disclosure to the official's appointing authority. The law requires that the appointing authority keep the disclosure open to inspection by the public. For elected officials who have no appointing authority, the written public disclosure must be filed with the City Clerk. In addition, officials would be well advised to make the disclosure a matter of record prior to acting at a public meeting by having the disclosure recorded in the meeting minutes.

g. Misuse of Official Position (Section 23)

Section 23, referred to in the law as the "Standards of Conduct," provides a general code of ethics for all public employees. The Standards of Conduct may apply whenever there is an overlap or direct connection between a public employee's official duties and responsibilities and his/her private activities, interests or relationships. This overlap of personal and public interest can at a minimum create an appearance of a conflict of interest.

A municipal agency or board may establish and enforce additional standards of conduct beyond those in the conflict law.

h. Unwarranted Privileges

Municipal employees may not use or attempt to use their official positions to secure for themselves or others unwarranted privileges of substantial value. Substantial value has been set at \$50 by the courts and the Commission.

i. "Appearances" of Conflict

Public employees must avoid conduct, which creates a reasonable impression that they will act with bias.

A public official can dispel this impression of favoritism by disclosing all the facts, which would lead to such a conclusion. For example, it may be necessary for a public official to disclose a personal relationship with someone appearing before his/her board.

Appointed officials must make such disclosures in writing to their appointing authority. This disclosure must be kept available for public inspection. An elected official's public disclosure must be made in writing and filed with the City Clerk. In addition, officials would be well advised to make a verbal disclosure for inclusion in meeting minutes if such an

“appearance” of a conflict arises in a public meeting. These public disclosures must be made *prior* to any official participation or action.

Once this public disclosure has been made, the official may participate in the matter notwithstanding the “appearance of a conflict.” When officials act on matters affecting individuals with whom they have a private relationship, they must act objectively and be careful not to use their official position to secure any unwarranted privilege or benefit for that person. Use of an official position to secure an unwarranted privilege for someone is always prohibited, regardless of whether the disclosure procedure is followed.

j. Inherently Incompatible Activities

A municipal employee is prohibited from accepting other employment involving compensation of substantial value (\$50 or more), the responsibilities of which are inherently incompatible with the responsibilities of his or her public office. For example, in a 1984 enforcement case, a state mediator admitted he violated the conflict law by working privately for a union when he was involved in mediating a labor dispute with the same union.

k. Use of Confidential Information

No current or *former* officer or employee of a municipal agency may:

1. accept employment or engage in any business or professional activity which will require the employee to disclose confidential information gained by reason of the employee’s official position or authority; or
2. improperly disclose material or data which are not considered public records and which are acquired in the course of official duties nor use such information to further personal interests.

l. Prohibited Appointments of Board and Commission Members (Section 21A)

The conflict law prohibits City board members from being *eligible* for appointment or election to any position under the supervision of their own board. This prohibition continues for thirty days from the member’s termination of service on the board.

Municipal officials considering applying for a paid position under the supervision of their own board should be aware that they may not participate as board members in discussions and/or votes concerning their appointment.

m. Demanding Undated Resignations Prohibited (Section 21B)

The conflict law prohibits the mayor from requiring anyone, as a prerequisite to appointment to a municipal position, to submit an undated

resignation. This prohibition prevents the chief executive officer of a municipality from using a municipal employee's undated resignation to exert unfair leverage over the employee and from dismissing an employee without the need for public explanation.

n. Restrictions on Partners of Municipal Employees (Section 18)

The law prohibits partners of municipal employees from deriving an unfair advantage as a result of their association with the municipal employee. Therefore, the partner of a municipal employee may not act as agent or attorney for a private party before the City in connection with a matter in which the municipal employee has ever participated, or a matter over which the municipal employee has official responsibility.

Municipal employees are also prohibited from shifting to their partners what they themselves are prohibited from doing.

2. Restrictions "After Hours"

Prohibited Municipal Contracts and Multiple Jobs (Section 20)

a. Application to Employees & Officials

In general, municipal employees are prohibited from having a direct or indirect financial interest in a "contract" with a municipal agency. Contracts include agreements to provide goods and services. Employment also constitutes a contract with the municipality. Therefore, municipal employees are prohibited from holding more than one paid position with the City or contracting with the City. (However, the courts have said that election to public office is not a contractual relationship; therefore, municipal officials may hold any number of elected paid positions and not be in conflict.)

These restrictions will avoid any public perception that municipal employees have an "inside track" on getting municipal contracts and jobs.

b. Application to Spouses

A spouse's financial interest in a municipal contract is not necessarily attributed to the municipal employee. Therefore, if the spouse has a financial interest in a municipal contract this does not automatically place the municipal employee in violation of the law. However, a municipal employee will not avoid violating Section 20 merely by having the contract "technically" in a spouse's name while continuing to share in the contract proceeds.

3. Limits on Private Activities (Section 17)

a. Application to Municipal Employees

Section 17 limits what a municipal employee may do “on the side” for someone other than the City. A person cannot serve two masters; whenever an employee works for private interests in matters in which the City also has an interest, there is a potential for divided loyalties at the expense of the municipality. Therefore, Section 17 prohibits any municipal employee from:

1. acting as agent or attorney for a private party before city or town boards; or
2. being paid by a private party in relation to any “particular matter of direct and substantial interest” to the city or town.

The term attorney applies to lawyers and may also include any person exercising power of attorney. The term agent refers to anybody acting in a representative capacity on behalf of someone else, regardless of whether that person is a lawyer.

Section 17 also prohibits anyone from giving, promising or offering such compensation to a municipal employee.

b. Application to Special Municipal Employees

The conflict law imposes fewer restrictions on special municipal employees. Section 17 applies to special municipal employees only when there is a connection between the special municipal employee’s outside activity and the employee’s agency’s work.

A special municipal employee may receive compensation from, or act as an agent or attorney for, someone other than the City *unless* the particular matter involved is one:

1. in which he or she participated at any time as a municipal employee or special municipal employee;
2. which is or has been (within the preceding year) the subject of the employee’s official responsibility; or
3. which is pending in the municipal agency in which the employee is serving --if the employee serves more than 60 days in any 365 day period. To serve more than 60 days means to perform work on more than 60 days; work on any part of a day will be considered work for one full day. The employee is responsible for keeping accurate records in this regard.

4. Restrictions After Government Service

Misuse of Government Connections (Section 18)

Former municipal employees may not use their past friendships and associations within government, or use confidential information obtained while serving the government, to derive unfair advantages for themselves or others. The law does not prohibit a municipal employee from using general expertise which he or she developed while a municipal employee; rather, the law limits what actions a former city employee may take regarding individual decisions or other "particular matters" in which the employee actually participated or over which he/she had official responsibility while a municipal employee.

The law also applies to the business partners of former municipal employees. Former municipal employees may not shift to their partners what they themselves are prohibited from doing. In addition, the law prohibits partners from deriving an unfair advantage as a result of their association with a former municipal employee.

Generally: Potential conflicts of interest or appearances of conflict can be avoided by filing an appearance disclosure with the City / Boston Public Library. For further guidance on potential conflicts and disclosure statement contact the Library Human Resources Department. (You may also contact the State Ethics Commission or City Attorney directly)

V. IMPORTANT BOSTON PUBLIC LIBRARY AND CITY OF BOSTON POLICIES/ RELATED LAWS

A. Harassment Policy

The Boston Public Library prohibits sexual and other harassment of any employee whether it is by a co-worker, a manager, a customer, or a vendor. Consequently, the Boston Public Library has adopted an extensive Sexual Harassment Policy and Investigation Procedure. Moreover, the City's Affirmative Action Plan includes a more general harassment policy. Briefly, sexual advances, requests for sexual favors, physical conduct of a sexual nature, sexual or racial jokes, racial or ethnic slurs, or other inappropriate language or conduct that creates a hostile work environment will not be tolerated by the Boston Public Library. It is expected that employees will always treat each other with respect and with dignity. Sexual or other harassment, by any employee, is grounds for immediate discipline, up to and including termination.

Any employee who is subjected to such conduct or observes it should contact his or her supervisor, the Boston Public Library Department of Human Resources and/or the City Office of Affirmative Action. The Boston Public Library Department of Human Resources will investigate the matter and take appropriate action. All employees are required to fully cooperate with the investigation. Failure to do so may lead to discipline, up to and including termination. Information provided by the individual employee will be treated as confidential as possible and will only be

provided to those persons who demonstrate a need for the information, or when it is required in the course of investigating the complaint.

B. Acquired Immune Deficiency Syndrome (AIDS) Law

In compliance with federal, state and municipal laws, the Boston Public Library cannot discriminate with regard to employment by the Boston Public Library against any person by directly or indirectly refusing to hire, employ, classify, or upgrade, by barring or discarding from employment, or by otherwise discriminating against any person in the terms, conditions or privileges of employment, including, but not limited to, compensation or benefits because such person has AIDS (Acquired Immune Deficiency Syndrome), ARC (AIDS Related Complex) or HIV (Human Immunodeficiency Virus).

In accordance with the law, the Boston Public Library will make every effort to provide a reasonable workplace accommodation for a person who has AIDS, ARC, or HIV.

Moreover, Massachusetts law prohibits an employer from requiring HIV antibody or antigen tests as a condition of employment. The Boston Public Library affirms its commitment to enforce this law with regard to employment by the Boston Public Library. At no time shall such a test be used by the Boston Public Library for purposes of determining eligibility for initial employment, continued employment, or benefits thereunder.

Further, an employee is under no obligation and shall not be required to reveal the nature of his/her illness or health condition but shall only be required to explain the necessity of absences from work as required by the existing collective bargaining agreements and the City of Boston Managing Attendance Program.

C. Family Medical Leave Act of 1993 (FMLA)

The FMLA of 1993 expands the rights of employees with regard to family and health related leaves of absence. Specifically, the FMLA requires that certain employers, including the Boston Public Library, grant up to twelve (12) weeks of unpaid leave to any eligible employee who has a serious health condition or who is responsible for the care of a spouse, parent or child who has such a condition or to care for a child born to or placed with the employee during the past year. FMLA leave can be taken on either a consecutive or intermittent basis. In order to be eligible under the FMLA, the City employee must have worked for the Boston Public Library for at least twelve (12) months during the preceding year, and have actually worked a minimum of 1,250 hours during those twelve (12) months.

The FMLA defines a serious health condition as an illness, injury, impairment or physical or medical condition that involves in-patient care or continuing treatment by a health care provider. Pursuant to the FMLA, the Boston Public Library will require medical certification to support a

request for leave due to a serious health condition suffered by the employee or his/her family member, and may require second or third opinions, at the Boston Public Library's expense. Moreover, the employee may be required to submit a fitness for duty report before returning to work. Employees are required to notify the Boston Public Library at least thirty (30) days in advance when leave is reasonably foreseeable.

For the duration of FMLA leave, the Boston Public Library will maintain the employee's health coverage at the group rate. Upon return from FMLA leave, Boston Public Library employees will be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms. The use of FMLA leave cannot result in the loss of any benefit that accrued prior to the start of an employee's leave.

The FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

D. Americans with Disabilities Act

In 1990, the United States Congress enacted the Americans with Disabilities Act (ADA) which prohibits employment discrimination against handicapped individuals with respect to any term, condition or privilege of employment. The ADA requires employers to make reasonable accommodations to qualified individuals known to have disabilities unless such an accommodation can be shown to impose an undue hardship on business operations.

Any questions regarding the ADA should be directed to the Library's Department of Human Resources or Commission for Persons with Disabilities at 635-3682.

E. Workplace Problems/Complaints

a. Overview

It is the desire of the Boston Public Library to promote a positive work environment. Thus, all employees have an opportunity to inform the Boston Public Library of situations employees perceive as problems in the workplace.

We recognize the meaningful value and importance of full discussion in resolving possible misunderstandings and preserving good relations between management and Boston Public Library employees. Accordingly, we believe that the following procedure will ensure that employee concerns receive full consideration. In the absence of an applicable collective bargaining grievance procedure, the following procedure should be utilized. This section does **not** create a formal or informal grievance procedure and employees are not granted any contractual or legal rights as a result of the Boston Public Library's use of this procedure.

b. Procedure

Should a condition exist which you feel is unsatisfactory, it is important that you bring it to the attention of the appropriate person. Normally, that person would be your immediate supervisor. However, if your supervisor is the source of the complaint, you should contact the next level of management. If you believe a report to your supervisor or manager in the chain of command would be inappropriate, contact the Director of Human Resources directly.

It is of utmost importance that your supervisor notifies you of the action to be taken to correct the situation that is the source of your complaint. If your supervisor believes no action is warranted, you should receive an explanation as to the reasoning of such decision. Generally, your supervisor should reply to you within three (3) working days of your complaint.

In the event that you feel that the problem remains unresolved following discussions with your supervisor, you may submit the complaint in writing to the appropriate Department Head for reconsideration. Upon reviewing the complaint, your Department Head will normally render a decision in writing within three (3) days after receipt of your written complaint.

In certain cases, your Department Head and your supervisor may wish to meet personally with you in order to provide a more extensive explanation of the action taken. Unionized employees should consult their respective collective bargaining agreements concerning the specifics of their grievance and/or complaint procedure.

F. Residency Policy

All newly hired City of Boston employees must be residents of the City prior to their actual start date with the City. Said employees must remain residents during their entire employment with the City of Boston. Newly hired employees are governed by the City of Boston Ordinance 5-5.3 as amended on July 21, 1994.

Upon date of hire, and annually on February 1st, all employees subject to the City of Boston ordinance must file a certificate of residency and two (2) utility bills with the Library's Department of Human Resources. Failure to file an annual residency certificate and two (2) utility bills will result in a voluntary termination of your employment.

AFSCME, Local 1526

Members of the bargaining unit hired before July 1, 1980, shall not be subject to the City of Boston Residency Ordinance (Ord. 1976, C. 9 as amended). All members of the bargaining unit hired after July 1, 1980 shall be subject to the terms of the City of Boston Residency Ordinance as clarified in the March 10, 1994 settlement agreement, incorporated by its terms.

Professional Staff Association

All members of the bargaining unit hired after October 12, 1993, shall be subject to the terms of the City of Boston residence ordinance enacted July 6, 1976 (Ord. 1976 c. 9) as amended.

G. City of Boston E-Mail and Internet Policy

The City of Boston recognizes the importance of modern technology and access to information to the City's efforts to provide its citizens the best and most efficient services. Therefore, many employees of the City of Boston are provided with e-mail as well as limited access to the Internet. The City encourages its employees to utilize these tools, however, it should be understood that the City's e-mail system and internet access should only be used for the City's business purposes. E-mail and the Internet should not be used for an employee's personal benefit. Information sent or received via e-mail and/or the Internet is the exclusive property of the City of Boston. Employees should be aware that all e-mail messages are automatically stored on the City's computer back-up system. The City also keeps records of Internet sites visited by City employees. All e-mail messages and Internet sites are subject to review by the City from time to time or at any time at the City's discretion. An employee's use of the City's e-mail system and/or the Internet constitutes their consent to the City's recording of the employee's e-mail messages as well as the web sites visited by that employee. Any improper use of these vital tools will not be tolerated and will subject the employee to discipline, up to and including termination.

(See Boston Public Library E-Mail and Internet Policy in appendix)

H. Employee Attendance Policy

a. Hours of Work

Hours of work shall be determined in accordance with the needs of the Library and the convenience of the public. Employees are scheduled to work either thirty-five (35) hours or forty (40) hours per week depending on job classification and their collective Bargaining Agreement. Employees scheduled to work thirty-five (35) hours or forty (40) hours per week will be considered full-time employees. An employee's lunch period shall not be included as part of their normal thirty-five (35) hours or forty (40) work week. Unionized employees should consult their respective collective bargaining agreements regarding hours of work.

b. Lunch Period

Employees shall be allowed one (1) unpaid hour for lunch to be used during the work day. The scheduled lunch periods can not be waived.

Unionized employees should consult their respective collective bargaining agreements to determine the specifics of their lunch period schedule.

c. Attendance Records

Each department head shall be responsible for maintaining daily time and attendance records of all officers and employees within the Library. Employees must truthfully, accurately and completely record their time on weekly attendance sheets. The Department of Human Resources will keep complete attendance records, including each individual's use of vacation leave, sick leave, and other types of leaves. Leave balances are maintained on employee pay stubs. Please contact the Boston Public Library Department of Human Resources for information regarding your current accumulation of leave time.

d. Alternate Work Schedule

Where practical and operationally feasible, a department head may approve alternate work schedules including flextime, staggered work schedules or other systems. Alternate work schedules are always subject to the operating needs of the agency and must be in conformance with the definition of a regular workweek. Unionized employees should consult their respective collective bargaining agreements regarding alternate work schedules.

e. Attendance Monitoring

Employee attendance practices may be reviewed. If an employee has excessive absenteeism or a pattern of absences (e.g., before and after holidays or vacation days or on particular days of the week) disciplinary action may be taken.

I. Nepotism Policy

Consistent with the State Ethics Law and in order to avoid the perception of favoritism, conflicts of interest, violations of security and/ or unlawful discrimination, the City of Boston has adopted a strict policy against nepotism. Accordingly, City employees are not allowed to supervise other City employees who share a family relationship with them. Nor may a City employee work in a position, which has an audit or control function over a family member's City position.

Family members, as defined by the City of Boston, include, but are not limited to, spouses, monogamous partners, parents, siblings, children, in-laws, aunts, uncles and all other relatives including step-relationships.

Employees and applicants are expected to disclose these relationships whenever they may come into existence. Failure to do so may lead to discipline. Normally, if these relationships come into existence after

employment is accepted, an attempt will be made to transfer employees to comparable positions.

J. Immigration Law

a. Federal Immigration Law

In accordance with the law, the Boston Public Library employs only those individuals entitled to work in the United States. In compliance with Federal Law, the Boston Public Library does not discriminate on the basis of an individual's national origin, citizenship, or intent to become a U. S. citizen.

b. Employee Requirements

All new employees will be required to provide proof of work eligibility and identification. Such employees will also be required to complete the employee portion of the I-9 form in ink.

All offers of employment will be conditional on providing proof of work eligibility and identification.

I-9 forms will be retained a minimum of three years after the date of hire, or one year after an individual's employment is terminated, whichever is later. These files will be made available for inspection by the Immigration and Naturalization Service (INS) upon written notice.

K. Freedom of Information Laws

The Boston Public Library complies with both the letter and spirit of all applicable public information statutes. The Massachusetts Public Records (MPR) law and the Federal Freedom of Information Act (FIA) provide that any person has an absolute right of access to public information. This right of access includes the right to inspect, copy or have copies of records provided upon the payment of a reasonable fee. Massachusetts General Laws broadly defines "public records" to include all documentary materials or data, regardless of physical form or characteristics, which are made or received by any officer or employee of any Massachusetts governmental entity.

The MPR contains twelve (12) exemptions to its general rule of disclosure. Perhaps the most frequently invoked and most pertinent to Boston Public Library employees is the privacy exemption. The privacy exemption contains two clauses, which are both applicable to Boston Public Library employees. The first clause restricts dissemination of employee medical and personnel information, which relates to an identifiable individual and is of a "personal nature". Generally, medical information will always be considered personal enough to warrant

exemption. Personnel information however is exempt only if it is "evaluative" in nature. It should be noted that public employees have a diminished expectation of privacy in matters relating to their public employment.

The second clause involves requests for information, which implicate privacy interests but do not involve personnel or medical records. In order to qualify as a privacy exemption, the requested information must involve "intimate details of a highly personal nature". For instance, examples of intimate details of a highly personal nature would include information regarding marital status, paternity, substance abuse, government assistance, family disputes and reputation. Boston Public Library employees should be confident that the Boston Public Library will take every step under the MPR to ensure that its employees' privacy interests are protected.

Employees who receive requests for information pursuant to the MPR or FIA should direct such requests to the Director of Operations consistent with Boston Public Library policy.

L. Access to Personnel Files

A record of all appointments and personnel actions for each employee shall be maintained in their employee personnel file. Said personnel file shall include the classification to which the employee was appointed their starting salary, salary advancements, performance evaluations, date of separation, and any other pertinent information deemed necessary.

The Boston Public Library respects individual privacy. In compliance with Massachusetts law, all information and records pertaining to Boston Public Library employees contained in their personnel files and elsewhere will be kept as confidential as possible. Information will only be provided to appropriate outside individuals consistent with the law and for a legitimate purpose.

Massachusetts's law specifically provides that an employee may review his/her personnel record during business hours if that employee makes a request **in writing** to his/her employer. If an employee disagrees with the content of his/her personnel record he/she may submit a written statement explaining his/her position on the disputed issue.

It is the City of Boston's policy to cooperate with federal and state agencies performing investigatory functions. However, personal information will only be provided to governmental investigators when they are entitled by law, to such information.

M. News Media Relations Policy

See Library Appendix #3

VI. YOUR FIRST MONTHS WITH THE BOSTON PUBLIC LIBRARY

A. Trial (Probationary) Period

The trial (probationary) period is a six month period during which the Boston Public Library may discharge an employee for any reason. Generally, a supervisor will use this period to determine whether or not an employee has proven that he/she can perform the job requirements satisfactorily.

A newly hired employee serves his/her trial period for the first 6 months of his/her employment. During this time, an employee shall not have benefits accruing to full-time regular employees. Essentially, privileges during this period amount to a job and the pay that goes with it.

Normally, upon successful completion of this period, a full-time employee is entitled to participate in full privileges and benefits. However, successful completion of your trial period does **not** create any right to continuation of employment with the Boston Public Library.

If, at any point during the 6 months, it is concluded that further employment will not benefit the Boston Public Library, a supervisor will terminate the trial employee. An employee who is terminated during his or her trial period, will be notified in writing concerning the effective date of this action. If it is revealed, at any time, that any information submitted by a Boston Public Library employee to the Boston Public Library prior to their appointment was false, that employee will be immediately terminated.

B. Orientation

Orientation is designed to help facilitate a new employee's adjustment to the Boston Public Library and City of Boston and to his or her job, as well as to clarify the individual's role in the department as a whole.

The responsibility for new employee orientation is shared by the Office of Human Resources and the individual's supervisor. The specific items of information to be covered by each are outlined below.

a. Office of Human Resources

The Office of Human Resources will convey the following information to new employees:

a. Employee Benefits (See section III(B) for more detail)

- b. City of Boston rules and regulations (See section V for more detail)
- c. Hours of work
- d. Pay Procedure (See section III(A) for more detail)

b. Departmental Managers and Supervisors

Each supervisor will conduct the following orientation and evaluation activities during a new employee's first month of employment with the Boston Public Library:

- a. A review of the new employee's job content and responsibilities.
- b. The new employee will be given a tour of the department and any instructions pertaining to the job that may be necessary for the employee to get started.

VII. EDUCATIONAL ASSISTANCE PROGRAMS

A. It is the policy of the City of Boston to provide assistance to employees interested in furthering their formal education.

Overall administration of these programs is the responsibility of the City Office of Human Resources' Training and Development Unit. For information call 635-3950.

B. Within the Boston Public Library professional development programs, conferences, seminars and other training programs are available through the Training Committee and PSA Professional Development Program. Please contact Human Resources for further information.

VIII. CAREER ADVANCEMENT

A. Posting Promotional Opportunities

The Boston Public Library believes in providing eligible and qualified applicants with every available opportunity to become employed and to advance within the Boston Public Library's workplace. The Boston Public Library's job posting process gives employees a means of indicating their interest in advancing to higher-level jobs according to their skills and experiences.

All positions are made available to employees through General Administrative Notices.

Employees must complete a Personnel Action Request form to apply for a position. Personnel Action Requests must be submitted to the Department of Human Resources by the closing date noted on the General Administrative Notice.

B. Performance Appraisal

The Boston Public Library is committed to the principles of the performance appraisal. The Boston Public Library recognizes that performance appraisals help to link individual performance to organizational performance as well as to facilitate open communication, and to work for results that increase productivity and service to the public.

The Boston Public Library's performance appraisal system has the following objectives:

1. To evaluate how an employee has performed his/her job, to discuss this performance with the individual concerned, and where possible, to determine how performance can be improved.
2. To create a timeline for employee improvement.
3. To evaluate an employee's short and long term potential for career growth.

An employee's performance is evaluated during their trial (probationary) period and yearly on the anniversary date of hire.

IX. DISCIPLINE and RULES

A. Discipline

a. Overview

It is the responsibility of all Boston Public Library employees to observe the policies, rules and regulations of the Boston Public Library and the City and all applicable laws. Violations of these standards, as well as non-performance of duties will lead to disciplinary action up to and including termination.

b. Disciplinary Process

Disciplinary action can occur at any time during the employment process for matters including but not limited to inappropriate off-duty or on-duty employee behavior, excessive absenteeism, violation of work rules and regulations, and/or poor job performance. In general, discipline will be administered in accordance with the principles of progressive discipline. Progressive discipline provides for increasingly serious disciplinary measures. However, the severity of any disciplinary action is dependent upon the nature of the offense. In some situations, employee behavior is so serious that immediate termination is warranted. If the Boston Public Library's investigation of the situation reveals that the employee committed what it determines to be a serious offense, then termination as a progressive discipline sanction would be proper.

It should be clear that the Boston Public Library does not intend to guarantee at-will employees the right to progressive discipline. This policy is only intended to provide general guidance to personnel who supervise at-will employees and desire to follow progressive discipline principles. At-will employees may be disciplined or terminated at any time, for any reason, with or without cause.

The progressive disciplinary process may include:

- a. Intervention Sessions
- b. Oral Warnings
- c. Written Warnings
- d. Suspensions without pay
- e. Termination

B. City of Boston Work Rules

All employees are required to sign off on City of Boston work rules and regulations that address standards of conduct, behavior and performance at the City of Boston Orientation. Some specific examples of the provisions contained in the City of Boston's work rules and regulations are, as follows:

a. Solicitation

In order to avoid disruption of service and possible irritation to the workforce, the City of Boston forbids all unauthorized solicitation during work hours. Exceptions to this policy will be made on a case by case basis, with notification coming from the Office of Human Resources.

b. Telephones

City of Boston / Boston Public Library telephones are to be used for City of Boston / Boston Public Library business only. Personal calls must be cleared by a Department Head or a designated staff member. Only emergency calls may be made without such clearance and must be subsequently reported as soon as possible to a department head or a designated staff member. **900 calls are never allowed.**

c. Employee Visitors

All visitors to administrative departments are required to check with the receptionist before entering the department. Personal visits should be kept to a minimum. Employee visitors should never be seen in public service areas or be permitted to interrupt services.

d. Bulletin Boards

All department bulletin boards will be used as a supplementary form of communication, and with few exceptions, should only contain material

that pertains to the business practices of the City of Boston/ Boston Public Library. Materials may be posted on the Human Resources bulletin board only with the advance approval of Human Resources.

e. Parking

With few exceptions, parking is not provided to City of Boston employees.

f. Drugs/Alcohol

The City of Boston adheres to the principles of the Drug Free Workplace Act. All employees are expected to be in suitable mental and physical condition at work, and capable of satisfactorily performing their jobs and behaving properly. The use of illegal drugs by City employees, at any time, will not be tolerated. Moreover, the use of alcohol or other intoxicants or the effects of the use of alcohol or other intoxicants during work hours will not be tolerated.

g. Harassment

Sexual, racial, age, disability, or any other form of harassment is strictly forbidden and will not be tolerated in the workplace. If harassment occurs, swift and appropriate action will be taken on a case by case basis. (See Section I (B) for more detail)

h. Appearance

All employees are expected to dress in an appropriate manner consistent with their job duties. Certain employees are required to wear uniforms while on duty.

i. Mail

Voice, electronic, facsimile and other forms of City of Boston communications are to be used for business reasons only. Employees who violate the City's policy will be subjected to disciplinary action up to and including termination.

j. Office Equipment

All City office equipment and supplies, including but not limited to stationary, copy machines and computers, are to be used for business reasons only. Employees who violate the City's policy will be subjected to disciplinary action up to and including termination.

k. Off –Duty Conduct

All City employees are expected to act professionally at all times. As such, inappropriate off-duty conduct may result in disciplinary action.

I. Workplace Contraband

All employees (most public-safety employees are excluded) are prohibited from bringing a weapon on City of Boston property. Some examples of weapons are hand guns, stun guns, rifles, pellet guns, knives, mace, batons, and black jacks. Any violations of this policy will result in disciplinary action up to and including termination. Weapons are not allowed on Library property even if properly permitted except in situations of allowable emergencies.

X. HEALTH AND SAFETY

A. Smoking

Smoking is not permitted in Boston Public Library Buildings or vehicles.

B. Emergencies

a. Medical

To summon an ambulance in the event of a medical emergency, dial 911 directly.

In the event of a medical emergency, an employee should be posted at the front door to wait for the ambulance and to direct them to the proper location as quickly as possible. In the Central Library call security at x4223 to alert them to the arrival of emergency personnel.

b. Fire

Each Library building has an exit procedure to be followed in case of a fire.

In the event of a fire, leave the building by means of the stairways (**NOT THE ELEVATORS**) and proceed out of the building and continue walking until you reach a safe distance from the building.

ELEVATORS SHOULD NEVER BE USED DURING A FIRE!

c. Weather

In the event of snow, heavy rains, or other unusual weather conditions creating hazardous travel during working hours, the Mayor in consultation with the Library President will decide if and when the Boston Public Library will close early to permit employees to leave or if employees will not need to report to work. If weather conditions occur at night or on weekends, employees must listen to WRKO 680 - AM radio for instructions as to whether or not they should report to work. Whenever possible the Library's telephone message will be updated to report any

schedule changes (617-859-2100). The Boston Public Library does, however, expect all employees to make every reasonable effort to report to work each day. See Library policy (Appendix #11).

C. Violence in the Workplace

The Boston Public Library has a **Zero Tolerance** for workplace violence. Any threat or act of violence will be considered a serious offense and will be dealt with swiftly, resulting in discipline, up to and including termination. Also, any retaliation based on a complaint of violence will be treated as an additional serious offense.

D. Security

Security problems and violations cannot be handled in a constructive manner unless supervisors and managers know about them. The Boston Public Library's security places a strong emphasis on reporting security-related incidents so that the proper action can be taken.

The following types of incidents must be immediately reported to a supervisor:

- a) Criminal acts on Boston Public Library property, including but not limited to fighting, gambling and possession or use of narcotics.
- b) Bomb threats via telephone, mail, etc... or actual bomb incidents.
- c) Theft, conversion, or misappropriation of Boston Public Library assets.
- d) Loss, theft, or suspected theft of proprietary information. Also, any inadvertent or unauthorized disclosure of proprietary data.
- e) Damage to Boston Public Library property or an employee's personal property while on Boston Public Library premises involving actual or suspected mischief, vandalism, or criminal negligence.
- f) Natural or person-made disasters.
- g) Attempts by persons to misrepresent themselves as employees or agents of the Boston Public Library.

GRIEVANCE PROCEDURE

The Public Employees Collective Bargaining Law (MGL Chapter 150E) permits the inclusion of a grievance procedure in the Collective Bargaining Agreement. Both the PSA and AFSCME Collective Bargaining Agreements contain a grievance procedure.

If you feel that you may have been affected by a possible violation of the Collective Bargaining Agreement, you should contact your union concerning your grievance rights.

PERSONNEL ACTION REPORT

Personnel Action Reports (PAR's) are the official form for initiating individual personnel actions. PAR's are used for requesting transfers, location changes, promotions, resignations, retirements, and address and name changes. PAR's are also the official request form managers use to request the filling of a vacancy or change in position.

PAR's are available at your work location and the Library Human Resource Department.

GENERAL ADMINISTRATIVE NOTICES

General Administrative Notices (GAN's) are used for two purposes. One, they are used for making notice of administrative policies and procedures of the Library. Two, they are used to announce vacancies available to employees who may submit a PAR to apply.

GAN's may be issued through paper distribution and e-mail.

PERSONAL PROPERTY

Employees are responsible for their own personal property and valuables should not be brought to work. The Library assumes no responsibility for the loss or theft of personal property.

Depending on availability, lockers are available to employees. The Director of Facilities has control of lockers in the Library and Branch Libraries have control of lockers in Branches.

Lockers are for storage of personal effects only. Dangerous materials may not be stored in lockers. Contraband may not be stored in lockers. Library property except materials that has been properly charged out may

not be stored in lockers. Dirty and smelly items may not be stored in lockers. Food may be stored only on a daily basis and only if property contained. Violation of any of these rules may result in termination of locker privileges and disciplinary action.

Lockers are library resources and are used by staff as a privilege granted by the Library. No expectation of privacy is created by the granting of locker privileges.

The Library reserves the right to access any locker upon suspicion that any deviation from proper usage exists, when there is an emergency, or when employee or patron safety may be at risk.

STAFF BORROWING PRIVILEGES

Use of the services of the Library is available to all staff members on the same basis as to the general public. Fines for staff may be waived.

List of Boston Public Library Human Resources Department Contacts

Name	Extension #	Subject
David Young	4345	<i>Director / Human Resources and Labor Relations</i> (Policies, Procedures, Labor and Employment Law, Collective Bargaining Matters, Complaints, Problem Solving, General HR Support for the Library, and Liaison with the City)
Liz Ventura	4477	<i>Assistant Director</i> (Assists the Director in all areas of Human Resources and Labor Relations and has primary responsibilities for Time, Attendance, Payroll corrections and problem solving, inquiries, processing, position control and reports)
Estelle Crosby	4359	<i>Generalist</i> (Hiring, PAR's, GAN's, benefits, general inquiries)
Felicia Bannister	4358	<i>Generalist</i> (Hiring, PAR's, GAN's, benefits, general inquiries)
Joelle Long	4435	<i>Time and Labor Specialist</i> (Time, Attendance, Payroll corrections and problem solving, inquiries, processing, position control and reports)
Maureen Hamilton	4342	<i>Time and Labor Specialist</i> (Time, Attendance, Payroll corrections and problem solving, inquiries, processing, position control and reports)
Kelly Dinneen	4360	<i>Generalist</i> (Recruitment, Benefits Administration, Office Management, Recruiting, Performance Evaluation, Training, Orientation, Counseling and Special Projects)

LIST OF CITY OF BOSTON CONTACTS

ISSUE	CONTACT	TELE. #
Access to Personnel Files	Richard Driscoll, Deputy Director Office of Human Resources	635-3374
AIDS Policy	William Kessler, Principal Admin. Asst. Office of Human Resources	635-2788
Americans With Disabilities Act	Steven Spinetto, Commissioner Commission for Persons with Disabilities	635-3682
Compensation	Marie Colleameno, Sr. Adm. Asst. Office of Human Resources	635-3369
Conflicts of Interest	Gary Sandison Special Assistant to the Mayor	635-4476
Deferred Compensation	Richard Driscoll, Deputy Director Office of Human Resources	635-3374
Direct Deposit	Marisa Tascasiello, Principal Admin. Asst. Treasury Department	635-6264
Discipline	Richard Driscoll, Deputy Director Office of Human Resources	635-3374
Educational Programs	Frank Holbrook, Training Coordinator Office of Human Resources	635-3950
Employee Assistance Program	Michael Kineavy, Director Employee Assistance Program	635-3523
Employee Attendance	Thomas Francis, Assist. Supervisor Office of Human Resources	635-3013
Employee Status	Marie Colleameno, Sr. Admin. Asst. Office of Human Resources	635-3369
Equal Opportunity Policy	Dr. Arlene Grant, Director Affirmative Action Office	635-3360
FMLA	Richard Driscoll, Deputy Director Office of Human Resources	635-3374
Financial Disclosure	Gary Sandison Special Assistant to the Mayor	635-4476
Freedom of Information Act	Richard Driscoll, Deputy Director Office of Human Resources	635-3374
Harassment Policy	Dr. Arlene Grant, Director Affirmative Action Office	635-3360
Health Insurance	Eugene Pastore, Deputy Director Health Benefits	635-4570
Health and Safety	William Kessler, Principal Admin. Asst. Office of Human Resources	635-2788
Holidays	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371

Immigration Policy	John Boyle, Coordinator Office of Unemployment	635-4240
Labor Relations	Michael Reagan, Director Office of Labor Relations	635-4525
Leaves of Absence	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371
Life Insurance	Eugene Pastore, Deputy Director Health Benefits	635-4570
News Media Relations	Jacquelyn Goddard, Press Secretary Mayor's Office	635-4461
Orientation Program	Frank Holbrook, Training Coordinator Office of Human Resources	635-3950
Performance Appraisals	Thomas Francis, Assist. Supervisor Office of Human Resources	635-3031
Personal Days	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371
Posting Positions	Dr. Arlene Grant, Director Affirmative Action Office	635-3360
Residency Policy	Richard Driscoll, Deputy Director Office of Human Resources	635-3374
Retirement	Donna Mueller, Director Retirement	635-4305
Sick Leave	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371
Sick Leave Redemption	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371
Vacation Leave	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371

BOSTON PUBLIC LIBRARY

APPENDIX

- I. American Library Association Code of Ethics
- II. Mayor's Four Hour Leave for Cancer Screening
- III. GAN 2000 – 141 Media Policy
- IV. GAN 2000 – 165 Respectful Workplace
- V. GAN 2000 – 167 Freedom of Information Act
- VI. GAN 2000 – 183 Performance Evaluation
- VII. Eilery Sedgwick Trust Fund Policy
- VIII. Sick Benefit Trust Fund Policy
- IX. Zero Tolerance for Violence Policy
- X. GAN 2000 – 208 Annual Leave Carryover Management / Exempt Staff
- XI. GAN 2000 – 201 Weather / Emergency Closing Information
- XII. GAN 2000 – 139 Staff ID Badges
- XIIA. GAN 2001 – 160 Staff ID Badges Required
- XIII. Sexual Harassment Policy
- XIV. Library E-mail / Internet Policy
- XV. Installation and Operation of 3M Materials Security System at the Central Library
- XVI. GAN 2001 – 161 Emergency Evacuation Procedures for the Central Library
- XVII. GAN 2001 – 164 Incoming Bag and Parcel Checking to be Reinstated at Central Library

AMERICAN LIBRARY ASSOCIATION CODE OF ETHICS

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

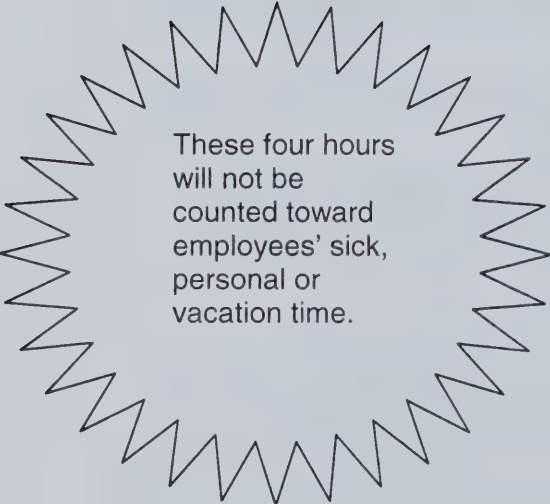
The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework they cannot and do not dictate conduct to cover particular situations.

- I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
- II. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
- III. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.
- IV. We recognize and respect intellectual property rights.
- V. We treat co-workers and other colleagues with respect, fairness and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
- VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
- VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
- VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

*Adapted by the ALA Council
June 28, 1995*

Did You Know?

Mayor Thomas M. Menino granted all City of Boston employees up to four hours per year to use for cancer screenings.



These four hours will not be counted toward employees' sick, personal or vacation time.

The time may be used for one or more of the following cancer screenings:

- Breast & Cervical
- Prostate
- Colorectal
- Skin
- Oral
- Other Cancers

Mayor Thomas M. Menino
**Boston Public Health
Commission**
Boston's Crusade Against Cancer
Cancer Prevention Control Office
617-534-9650

GENERAL ADMINISTRATIVE NOTICE, 2000 No. 141

BOSTON PUBLIC LIBRARY

Media Policy

To Members of the Staff:

The Boston Public Library has adopted the same media policy that is in effect in countless organizations, public and private, large and small, across the country. When employees are contacted by the media regarding any library-related issue, employees are to immediately direct the inquiry to our Communications Department. It is the Communications Department's responsibility to respond to the media in a timely and thorough manner.

Recently, some staff have tried to handle seemingly simple media inquiries without the assistance of our Media Relations Manager or our Communications Officer, only to find that their answers did not take into account fiscal and public service impacts.

As librarians, we are trained to answer questions from the public. We are also trained to go directly to the source that is going to give us the most complete information. If a children's librarian is asked a question about government documents or rare books, for example, that librarian refers the customer to those specific departments. The same practice should apply to the media. If you are asked a question by a member of the press, please immediately refer the person to Cate Shier or P. A. d'Arbeloff. The only exception is for branch staff communicating program listings to their Local media. That is and will continue to be done in coordination with Cate Shier.

We appreciate you following this simple process: immediately refer all media to the Communications Office.

Bernard A. Margolis
President

August 14, 2000

Boston Public Library

Respectful Workplace

To All Members of the Staff:

The City of Boston is committed to a respectful workplace free of harassment. The Boston Public Library shares the commitment to a workplace where everyone enjoys respectful communication and is treated in accordance with their workplace rights and responsibilities. To the same extent, members of the public should have the same expectation of respectful treatment at the Boston Public Library.

As the first step in formalizing respectful workplace expectations, the Board of Trustees at its September 19, 2000 meeting voted to adopt a Sexual Harassment Policy and Investigation Procedure.

It is the policy of the Boston Public Library to promote a workplace that is free of sexual harassment or any other form of harassment. Harassment of employees occurring in the workplace or in other settings which employees find themselves in connection with their employment is unlawful and will not be tolerated by the Boston Public Library.

Sexual harassment means sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,
- Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

A complete copy of the Sexual Harassment Policy and Investigation Procedure is attached to the paper GAN. Should you have any questions concerning this matter, please contact me.

David C. Young
Director of Human Resources

October 2, 2000

GENERAL ADMINISTRATIVE NOTICE, 2000— No. 167

BOSTON PUBLIC LIBRARY

Freedom of Information Act Designee

To Members of the Staff:

From time to time, the Library receives requests from individuals and organizations under the Freedom of Information Act for material on Library services, activities, programs and personnel. In order to better respond to these requests and to guarantee that we meet all of the legal requirements for a timely and complete response, I am designating Ruth Kowal, in her role as Director of Operations, as the person to handle all Freedom of Information Act requests for the Boston Public Library. Should you receive a request under the Freedom of Information Act, by letter, phone, e-mail, or in person, please forward them to her immediately. Ms. Kowal can be reached at extension 2351.

Under statute, Freedom of Information Act requests cover virtually all of the internal and external communications and documents of the Library. Staff Internet (e-mail) communications, memoranda, meeting notes, budgets, manuals, and similar documents are among those things included in Freedom of Information Act access.

Should you have any questions about the Act, or inquiries which you might receive, please do not hesitate to contact Ms. Kowal. Thank you in advance for directing all Freedom of Information Act requests to her. All press requests should continue to be directed to P. A. d'Arbeloff, Communications and Community Affairs Officer, extension 2219.

Bernard A. Margolis.
President

October 3, 2000

GENERAL ADMINISTRATION NOTICE, 2000- No. 183

Boston Public Library

Performance Evaluations

To Members of the Staff:

Performance Evaluations for employees represented by AFSCME and PSA are commencing in November 2000.

Due to delays in negotiating the performance evaluation process over the past year with consequent delays in training and performance planning, the Library is a year behind in its performance evaluation timetable. Evaluations for employees with anniversary dates in October and November 2000 were distributed and should be disregarded. Due to negotiating, training, and performance planning delays the following timetable will be observed.

Names of employees with anniversary dates in February 2001 will be distributed shortly by Human Resources. Employees with anniversary dates in February 2001 will receive a preliminary evaluation for the period August 2000 to October 2000 to introduce the supervisor and employee to the performance evaluation system. In February 2001, employees with an anniversary date of February 2001 will receive an actual evaluation based on performance between August 2000 and January 2001. Those employees will then begin the cycle of 12-month evaluations, with their next formal evaluation scheduled for February 2002.

Following this timetable, employees with an anniversary date in March 2001 will receive a preliminary evaluation for the period September 2000 to November 2000 and an actual evaluation for the period September 2000 to February 2001. Their next formal evaluation will be scheduled for March 2002. Likewise, employees with an anniversary date in April 2001 will receive a preliminary evaluation for the period October 2000 to December 2000 and an actual evaluation for the period October 2000 to March 2001. Their next formal evaluation will be scheduled for April 2002. This process will be followed through January 2002. Beginning in February 2002 employees will be evaluated annually during their anniversary month as defined in the AFSCME and PSA performance evaluation guidelines.

In order to get this process under way, performance planning must take place now for employees with February anniversary dates.

If you have any questions please let me know. I plan to have individual consultations with evaluators as needed to answer any questions or problem solve issues as they arise.

Further guidance concerning evaluation procedures and the appeal process will be issued in following instructions.

David C. Young, Director of Human Resources

October 26, 2000

Eilery Sedgwick Fund

POLICY

For the mitigation of the anxiety of any trusted employee or employees who may in be in urgent need consistent with the Trust Fund.

Urgent Need

Urgent need shall be defined as a catastrophic event in the life of a Boston Public Library Employee. Such catastrophic event may be illness, injury, or personal crisis or loss that is not otherwise provided for by a benefit as an employee of the Boston Public Library, such as health insurance, life insurance, workers compensation, or other paid leave or where such a benefit is insufficient to remove the urgent need.

Trusted Employee or Employees

Trusted Employee or Employees shall be defined as full time employees who have worked for the Boston Public Library for at least one year, who are in good standing without any disciplinary action and who receive a written recommendation by their supervisor and/or fellow employees in support of their request to access the Trust Fund.

Procedures

- 1) The benefit shall be limited to no more than one thousand dollars (\$1000) per employee. This benefit shall be approved no more than once for any employee during their employment with the Boston Public Library. The employee by initial application shall state the amount requested not to exceed one thousand dollars (\$1000) and justification of the amount. The Director of Human Resources may in his or her judgment reduce the amount of the benefit requested.
- 2) The employee personally or by legal representation or other designee must make written application to the Director of Human Resources for such benefit explaining the nature and extent of such urgent need, that such urgent need is not otherwise compensated, and that such employee is a trusted employee of the Boston Public Library.
- 3) Any employee desiring this benefit must provide evidence that all other benefits applying to this urgent need, e.g., paid leave, insurance benefits, civil or criminal benefits, public assistance, or any or all other City, Library, State, Federal, or other benefits, have been used or exhausted, or are

likely to be used or exhausted within 60 days whether or not applied for or pursued, or where such benefit is insufficient to remove the urgent need.

- 4) The Director of Human Resources shall seek the assistance of the Director of Operations, Director of Public Services and the employee's supervisor(s) in considering approval of the request.
- 5) If the Director of Human Resources approves such application for urgent need, the employee shall forthwith receive a cash benefit, subject to all normal and regular deductions including federal and state taxes. The employee shall be responsible for ensuring that any taxes or other obligations based on receipt of the funds are paid.
- 6) The Director of Human Resources and Trustees may require further support for such request including, but not limited to, receipts, affidavits, or personal testimony.
- 7) The decision and approval / disapproval of the Director of Human Resources shall be absolute and not the subject of any claim or appeal in any forum whatsoever. The employee shall acknowledge by their application for such benefit that the Director of Human Resources has such legal immunity.
- 8) This benefit shall cease to exist upon exhaustion of such trust fund or termination of such Trust by appropriate legal action.
- 9) This policy, procedure, and benefit may be amended, terminated, modified or otherwise changed without notice by the President, Trustees of the Public Library of the City of Boston, their agents or representatives at any time without recourse by an employee, or employees' representatives, heirs or assigns.
- 10) The President, Trustees of the Public Library of the City of Boston, Director of Human Resources, agents, or representatives of the Library shall be held harmless and not subject to any legal recourse for any matter or decision related to the maintenance or administration of this trust fund.
- 11) All matters related to this trust fund shall be consistent with the trust document. To the extent that any policy, procedure, or decision is found to be inconsistent with this trust fund this policy shall be thereby amended without any legal liability, recourse, or claim against the Boston Public Library, City of Boston, Trustees of the Public Library of the City of Boston or any agents or representatives.

Library Employees' Sick Benefit Trust Fund

POLICY

Legal Scope and Purpose

To be expended for the aid of such employees of the Boston Public Library as from time to time shall be sick and in need of help.

Sick And in Need of Help

"Sick and in Need of Help" shall be defined as a condition when benefits normally provided to a full time employee of the Boston Public Library, such as health insurance, life insurance, workers compensation, or other paid leave, are not adequate to meet a catastrophic health event.

Procedures

- 1) The decision and approval / disapproval of the Director of Human Resources shall be absolute and not the subject of any claim or appeal in any forum whatsoever. The employee shall acknowledge by their application for such benefit that the Director of Human Resources has such legal immunity.
- 2) This policy, procedure, and benefit may be amended, terminated, modified or otherwise changed without notice by the President, Trustees of the Public Library of the City of Boston, their agents or representatives at any time without recourse by an employee, or employees' representatives, heirs or assigns.
- 3) All matters related to this trust fund shall be consistent with the trust document. To the extent that any policy, procedure, or decision is found to be inconsistent with this trust fund this policy shall be thereby amended without any legal liability, recourse, or claim against the Boston Public Library, City of Boston, Trustees of the Public Library of the City of Boston or any agents or representatives.
- 4) The employee personally or by legal representation or other designee must make written application to the Director of Human Resources for such benefit explaining the nature and extent of such urgent need, and that such urgent need is not otherwise compensated.
- 5) Any employee desiring this benefit must provide evidence that all other benefits applying to this urgent need, e.g., paid leave, insurance benefits, civil or judicial benefits, public assistance, or any or all other City, Library, State,

Federal, or other benefits, have been used or exhausted, or are likely to be used or exhausted within 60 days whether or not applied for or pursued.

- 6) The Director of Human Resources shall seek the assistance of the Director of Operations, Director of Public Services and the employee's supervisor(s) in considering approval of the request.
- 7) If the Director of Human Resources approves such application for need, the employee shall forthwith receive a cash benefit, subject to all normal and regular deductions including federal and state taxes. The employee shall be responsible for ensuring that any taxes or other obligations based on receipt of the funds are paid.
- 8) The benefit shall be limited to no more than one thousand dollars (\$1000) per employee. This benefit shall be approved no more than once for any employee during their employment with the Boston Public Library. The employee by initial application shall state the amount requested not to exceed one thousand dollars (\$1000) and justification of the amount. The Director of Human Resources may in his or her judgment reduce the amount of the benefit requested.
- 9) The Director of Human Resources may require further support for such request including, but not limited to, receipts, affidavits, or personal testimony.
- 10) This benefit shall cease to exist upon exhaustion of such trust fund or termination of such Trust by appropriate legal action
- 11) The President, Trustees of the Public Library of the City of Boston, Director of Human Resources, agents, or representatives of the Library shall be held harmless and not subject to any legal recourse for any matter or decision related to the maintenance or administration of this trust fund.

CITY OF BOSTON BOSTON PUBLIC LIBRARY

ZERO TOLERANCE FOR VIOLENCE POLICY EXECUTIVE SUMMARY

Nothing is more important to the Boston Public Library than the safety and security of its employees and the members of the public who visit Library buildings and facilities.

On October 3, 1997, Mayor Thomas M. Menino signed an Executive Order on Domestic Violence. In signing this Order, the Mayor directed that a Task Force be created to develop a policy and program that clearly states that the City of Boston has "Zero Tolerance for Violence" at home and on the job.

On October 1, 2000, the City of Boston implemented its *Zero Tolerance for Violence Policy*. This policy provides information on the resources available for victims and perpetrators of violence. It defines the City's position on violence and provides a foundation for a comprehensive program of training for City employees at all levels of the organization.

The Boston Public Library adopts the City of Boston Zero Tolerance for Violence Policy.

Violence in the workplace is not a recent phenomenon. However both its severity and frequency, in terms of deaths and serious injuries, are a primary concern. In fact, homicide in the workplace is the fastest growing violent crime in the U.S. today. A recent NIOSH (National Institute for Occupational Safety & Health) study reported that homicide in the workplace is the third leading cause of occupational death in the United States, and the leading cause of death and major injury amongst female employees.

The effects of domestic violence often impact the workplace. The work performance of a victim of domestic violence can change dramatically because the employee may have chronic absences, and when at work, may be preoccupied or distracted from her work. The partner of a victim of domestic violence may appear at the workplace, displaying disruptive, threatening or violent behavior. Domestic violence and abuse is costing employers an estimated \$3 to \$5 billion annually according to the Washington, D.C.-based Bureau of National Affairs.

The workplace in America today is complex and stressful. Feelings of diminished job security and the fear of unknown futures create an unstable workplace atmosphere where interpersonal confrontations or employee revenge against the workplace are on the rise. As a government entity, the City of Boston / Boston Public Library is also faced with the threat of violence against its property and staff from disgruntled members of the public who may resort to violence to demonstrate their frustration or anger, or where domestic violence carries over into the workplace.

The *Zero Tolerance for Violence Policy* was developed to ensure that:

1. The message is communicated to all employees that any form of violence is not acceptable and will not be tolerated;
2. Training is provided to supervisors and management staff on how to identify the behaviors of individuals that indicates that they may either be potential violent aggressors, or victims of violence and abuse;
3. Employee awareness is increased to the resources available to them (e.g. Employee Assistance Program - EAP) if they are victims of violence or abuse;
4. Procedures are implemented for the prevention of violence from internal and external sources: action plans in the event of catastrophic violent acts in Library workplaces; and post-event response for victims.

The *Zero Tolerance for Violence Policy* formalizes the Library's commitment to providing, insofar as it is reasonably possible with available resources, a safe environment for working and conducting business. The Library will not tolerate acts of violence committed by, or against Library employees, or members of the public while on Boston Public Library property, or while performing Library business at other locations. The Library intends to use reasonable legal, managerial, administrative and disciplinary procedures to secure the workplace from violence and to reasonably protect employees and members of the public.

The word *violence* in this policy shall mean an act or behavior that: is physically assaultive; a reasonable person would perceive as obsessively directed (e.g. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to person or property); consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of another individual; would be interpreted by a reasonable person as being capable of physically and/or psychologically banning an individual; is a behavior, or action, that a reasonable person would perceive as menacing; involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or consists of a communicated or reasonably perceived threat to destroy property; consists of the communicated or reasonably perceived threat to use weapons of mass destruction.

Policy Statement and Objectives

The Library has established this policy to demonstrate to its employees, citizens and the business community of Boston that violence of any kind cannot and will not be tolerated. It is important that zero tolerance for violence be established throughout this great City for a variety of reasons, and additionally because *it is the right thing to do*. The Boston Public Library has a legal obligation to provide the safest and most violence-free workplace possible. In addressing domestic and workplace violence issues, the Library takes both practical and legal implications into consideration.

With the implementation of this policy, the Library plans to ensure that appropriate resources are available to victims of violence and also for perpetrators of violence; to reduce the potential for violence in and around the workplace; to mitigate the negative consequences for employees who experience or encounter violence in their personal and work lives; to encourage and foster a work environment that is characterized by respect, confidentiality and healthy conflict resolution by means of a joint effort between management and labor groups; and, to recognize the signs, symptoms and patterns of violent acts.

The *Zero Tolerance for Violence Policy* contains two main components: (1) defined roles and responsibilities at all levels of the organization, and (2) specific procedures for proactive violence prevention: effective and compassionate response when violent acts do occur; and post-incident employee counseling and / or referral to other sources.

Roles & Responsibilities

Within the *Zero Tolerance for Violence Policy* all employees, at all levels of the organization, have certain levels of responsibility and specific roles to play. The City is responsible for ensuring that the developed procedures are implemented and maintained to achieve prompt and appropriate response to any act of violence that affects an employee or occurs in the workplace. This includes accountability for acts of violence among employees committed in the workplace, appropriate disciplinary action for perpetrators of threats or acts of violence and providing support to employees who have been victims of violent acts.

Management personnel including cabinet chiefs, department heads, managers and supervisors, are responsible for assessing situations, making judgments on the appropriate response, and responding to reports of, or knowledge of, violence or of employees who are victims of violence, and for recommending a comprehensive investigation where appropriate. Each department has a liaison who can provide relevant information and link individuals to additional resources.

The Office of Human Resources is responsible for the overall administration of the policy including guidance, direction and support to employees who are victims of violence and to supervisors and managers when they are required to address matters of intervention and response to violence issues.

The Law Department provides expert consultation services concerning the law as it pertains to individual cases. The Office of Labor Relations provides expertise and direct assistance concerning labor and employment related matters. The Women's Commission responds to confidential calls concerning threats, threatening behavior, or acts of violence, assessing the situation and making appropriate referrals. They also provide emotional support for victims of violence and make available all the resources that are at their disposal. The Employee Assistance Program responds to confidential calls and provides emotional support and counseling services to both victims and perpetrators of violence. Police and security personnel will control access to property and respond to acts or threats of violence. Departmental joint safety and wellness committees will assist in the development, implementation and communication of emergency response/evacuation plans for their workplace.

Most importantly, all employees are responsible for restraining from any threat or act of violence. Employees must immediately report to their supervisor any dangerous or threatening situation which they may witness or experience. All employees are encouraged to seek assistance to resolve personal issues that may lead to threats or acts of violence in the workplace or in their home, through the EAP or other sources.

Procedures

Proactive Prevention

The *Zero Tolerance for Violence Policy* makes a recommendation to review and strengthen the applicant screening and hiring policy. In implementing this policy, the City has allied itself with

several community resources including Jane Doe, Inc., the Boston Police Domestic Violence Unit, Employers Against Domestic Violence, the Boston Public Health Commission's Domestic Violence Program, the shelter system, advocates, and other related community groups.

All employees will be made aware of this policy through distribution via a departmental liaison network. Additionally, the policy is posted in the public folders, and individual copies are available in the Office of Human Resources, Women's Commission and EAP.

It is specifically stated here that the possession or use of dangerous weapons is prohibited on Library property, in Library vehicles or in any personal vehicle which is used for Library business.

Intervention

Although employees are strongly encouraged to inform their immediate supervisor that they are a victim or potential victim of violence, in many cases the employee will conceal/deny that they are a victim. This may be the result of embarrassment, shame, denial or minimizing, fear of losing their job, and low self-esteem, which are often experienced by victims of violence. Through the training programs, supervisors and managers will be trained to identify the signs and symptoms of a victim of violence and how to intervene in a compassionate manner. The EAP will often be the best internal resource for counseling both the supervisor on how to handle the situation, and the employee who is the victim or perpetrator of violence. There may be several options to offer an employee who is a victim of violence, with each case handled in accordance with its own particular issues.

Post-Incident

Helping employees with the psychological consequences of domestic or workplace violence is the right and compassionate thing to do, and the role of the EAP. After a violent incident, EAP will offer counseling services to employees and their families which may include, but not be limited to providing a debriefing after a serious incident of violence to all affected employees, as well as further counseling for all employees who require it.

Any employee who is found to be the initiator of violence in the workplace shall be subject to progressive discipline, up to and including termination, consistent with the provisions of the applicable collective bargaining agreement, if any.

Resources

Internal

Employee Assistance Program

617-635-2200
617-635-4500 (After Hour Hotline)

Women's Commission

617-635-4427

Office of Human Resources

617-635-3370

Office of Labor Relations

617-635-4525

Safety & Wellness

617-635-2381

City Hall Security

617-635-4444

Municipal Police

617-635-3500 (24 Hour Hotline)

Library Human Resources

617-536-5400 x2356

Library Security

617-536-5400 x4222

External

Shelters and Hotline numbers:

National Domestic Violence Hotline

1-800-799-SAFE (7233)

Elizabeth Stone House

617-522-3417

Casa Myrna Vasquez, Inc.

617-338-2355

Asian Task Force Against Domestic Violence, Inc

617-338-2355

F.I.N.E.X House

617-288-1054

Gay Men's Domestic Violence Project

1-800-832-1901

Network for Battered Lesbians/Bisexual Women

617-423-SAFE (7233)

For more information or assistance:

Jane Doe, Inc.

617-248-0922

Boston Police Department, Domestic Violence Unit

617-343-4350

Domestic Violence Program,
Boston Public Health Commission

617-534-2687

Employers Against Domestic Violence

617-348-4970

Family Violence Prevention Fund

415-252-8900

Emerge (batterer intervention program)

617-547-9879

GENERAL ADMINISTRATIVE NOTICE, 2000 – No. 208

Boston Public Library

Annual Leave Carry Over

To Members of the Staff:

The Library Collective Bargaining Agreements provide that employees may carry five (5) annual leave days from year to year in addition to their yearly annual leave accrual. Carrying more than five (5) days, requires the express written permission of the Division Head. Failure to obtain such express written approval results in the cancellation of excess annual leave at the end of the year. The same rules apply to management and exempt staff.

In order to document the express written approval required to avoid the cancellation of excess annual leave, employees are requested to submit a PAR through normal channels to the appropriate Division Head. The PAR must include the total number of days for which approval is sought and the plan for utilizing these days. PARS approved by the Division Head will be forwarded to the Human Resources Office where a copy will be maintained to ensure that excess days are not cancelled. Copies will be returned to the employee and Division Head.

Please note that this process does not replace annual leave requests and approvals for annual leave usage.

If you have any questions please contact the Human Resources Office.

David C. Young
Director of Human Resources

December 19, 2000

<p>Boston Public Library</p> <p>Personnel Policy</p>	<p>Annual Leave Carryover Management & Exempt</p>
	<p>Date Approved: _____</p> <p>Previously Approved: _____</p>

Basic Annual Leave Policy:

At any time an employee shall be permitted to carry his/her annual allotment of annual leave plus five (5) days, whether the days result from the regular annual leave award process or through sick leave conversion.

Annual Leave Carryover/Deferment:

1. On written request of a management or exempt employee, the Director of Public Services or the Director of Operations may authorize the carryover (deferment) of additional annual leave as described below. A copy of the approved request will be retained in the employee's personnel file.
2. Subject to the approval process described above, an employee may carry forward up to one year's allotment of annual leave into the next annual leave period. At no time, in any given year, may an employee be authorized to carry more than a total of two year's annual leave allotment.
3. No annual leave may be carried beyond the maximum permitted amount of the two years allotment, and the employee must use the carryover amount by the end of the year for which the carryover has been authorized. Annual leave carried over, and not used within the authorized time period, will be forfeited.
4. Any employee with an annual leave allotment in excess of the maximum permitted amount, as of the effective date of this policy, shall not lose such leave, but will be expected to reduce his or her leave balances to the authorized level within a reasonable period of time.

BOSTON PUBLIC LIBRARY

Weather / Emergency Closing Information

To the Library Staff:

As winter approaches, the following describes how and where information regarding any change to library hours will be communicated and/or can be located. Whenever possible, the decision to close or delay opening will be made by 6:00 a.m.

1. Departmental Phone Trees

Every department and branch has a telephone tree which will be put into action in the event of a change in the library's normal operating schedule. Members of the Strategic Process Team and other designated staff are responsible for contacting department heads and branch librarians to activate the departmental/branch calling tree.

2. Telephone System Message

Information about a change in schedule will be available for the staff and the public by calling the library's main number, (617) 536-5400. In the event of a schedule change, every effort will be made to have the message available no later 7:00 a.m. Branch staff are responsible for recording the branch message to reflect the change in hours.

3. TV and Radio Announcements

The following media will be contacted to post the schedule change information:

TV Stations:	WHDH, Channel 7; WCVB-TV Boston, Channel 5
Radio Stations:	AM680 WRKO

In the event of an early closing, department heads and branch librarians will be contacted as far in advance as possible. Branch librarians, and other staff in remote locations such as Norwood, should contact a member of the senior management staff should there be locally deteriorating conditions.

Ruth E. Kowal, Director of Operations
Ext. 2351, rkowal@bpl.org

December 6, 2000

BOSTON PUBLIC LIBRARY

Staff ID Badges

To Library Staff:

I want to remind staff about the importance of wearing your Boston Public Library identification badge while in a library facility. The requirement that you wear your badge is to ensure both your personal safety, and the safety of the Library's collections and facilities. This is especially important at the Copley Square building where we have a significant number of construction workers who need to have access to staff areas. The staff ID badge is your way of knowing if the individual you meet in the hall, or in the stacks, works for the Library and has access to staff portions of the building, and is not someone who has just wandered in off the streets.

I also want to remind staff that you are to show your ID badge when entering the McKim and Johnson buildings prior to the Library's opening to the public. If you should forget your ID badge you should go to the Johnson building entrance, where there is an Inspection and Information staff member. You will not be permitted to enter through the McKim entrance without your ID badge. If you have lost your ID badge, please visit the Human Resources Office to have a replacement badge made. Thank you for helping to make the Library a safe place for all staff.

Ruth Kowal, Director of Operations
rkowal@bpl.org, ext. 2351

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8/11/00

GENERAL ADMINISTRATIVE NOTICE, 2001-No. 160

BOSTON PUBLIC LIBRARY

STAFF ID BADGES REQUIRED

To the Library Staff:

In the interest of staff safety and Library security, the Library must be more vigilant about the wearing of ID badges. All staff are required to wear their Boston Public Library staff ID badge to enter the building when the Library is closed and at all times while at work (see GAN2000-No.139, August, 2000). This applies to all full and part-time staff in all departments and at all locations. In addition, all vendors, contractors, and guests/meeting attendees in staff areas are required to wear a BPL ID badge. Procedures for supplying non-BPL staff with a badge are in the process of being developed. For now, anyone needing a badge should report to the Human Resources Office. Any individual found in a staff area of the Library without a badge is to be reported immediately to Library Security. Staff must have an ID badge to enter the building before the library opens. Those who do not have their ID badge with them will be required to wait with Library Security personnel in the lobby until the Library opens. At that time they should proceed first to their department to check in, and then immediately to Human Resources for a replacement badge. Staff will be permitted to get a replacement badge 3 times; after that staff may be subject to disciplinary action for failing to report to work without a BPL ID badge.

Staff will be given a 2 week grace period, until October 1, to come into compliance with this requirement. The Human Resources Office is prepared to issue replacement badges to any staff member who has lost their badge, or anyone who has a badge that needs updating, or who just wants a better picture!

Departmental supervisors are required to assist in assuring compliance with this important safety practice.

Ruth Kowal, Director of Operations
rkowal@bpl.org, ext. 2351
September 17, 2001

BOSTON PUBLIC LIBRARY
HARASSMENT POLICY/INVESTIGATION PROCEDURE

- It is the policy of the Boston Public Library to promote a workplace that is free of sexual harassment or any other form of harassment. *Harassment of employees occurring in the workplace or in other settings in which employees find themselves in connection with their employment is unlawful and will not be tolerated by the Boston Public Library.*
- The policy is not designated or intended to limit our authority to discipline or take remedial action for workplace conduct which the Boston Public Library deems unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

SEXUAL-HARASSMENT DEFINITION

- Sexual harassment means sexual advances, request for sexual favors and verbal or physical conduct of a sexual nature when:

submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions;

or

such advances; requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

EXAMPLES OF SEXUAL HARASSMENT

- The following are some examples of conduct, which if unwelcome, may constitute harassment:
 - Sexual advances - whether they involve physical touching or not;
 - Displaying sexually suggestive objects, pictures, cartoons;
 - Leering, whistling, brushing up against, sexual gestures, suggestive or insulting comments;
 - Inquiries into one's sexual activities;
 - Use of sexual epithets, written or oral reference to sexual conduct, gossip regarding one's sex life;
 - Comment on an individual's sexual activity, deficiencies, or prowess;
 - Assault or coerced sexual acts;
 - Sexual jokes;
 - Any improper use of the City's e-mail or Internet as a form of harassment will not be tolerated.

NOTIFICATION

- Employees may notify their immediate supervisor, Department Head, BPL Human Resources Office, or the City of Boston's Director of Human Resources, Vivian Leonard at 635-4698, the Director of Affirmative Action, Dr. Arlyne F. Grant at 635-3360 or Sherry Dong, Affirmative Action Monitor at 635-1975 in Room 612 of City Hall regarding any incident whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating or humiliating to male or female workers.
- When **Supervisors** are notified of such incidents, **they have a responsibility to notify** the BPL Human Resources Office or the City of Boston's Office of Affirmative Action.
- If an employee believes that he or she has been subjected to harassment, the employee has the right to file a complaint with the Library and or City. This may be done orally or in writing. Oral complaints must be submitted in writing within 48 hours of the oral complaint. The BPL Human Resources Office and/or the City's Office of Affirmative Action attempts to mediate the problems in an expeditious manner.

INVESTIGATION PROCEDURE

- Because the Boston Public Library takes allegations of harassment seriously, it will respond promptly to complaints of harassment.
- The complaint procedure is designed to facilitate a prompt internal review of the allegations and a fair and equitable resolution of the situation.
- The investigation procedure generally involves the following steps:

Fact Gathering:

- a. **Compiling** written or oral statements from all involved in the situation, including witnesses
- b. **Collecting** personnel records that may establish facts (includes pay records, job assignments, promotions, transfers, working hours, performance appraisals, etc.)
- c. **Interviewing** will include a private interview with the person filing the complaint and with witnesses. The person alleged to have committed the harassment will also be interviewed.

A complaint may be determined to be:

- a. **Founded**-the incident occurred as charged
- b. **Unfounded**-the incident is not harassment
- c. **Inconclusive**-there is insufficient evidence to make a ruling either way.

Intervention - Resolution: We will to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of the investigation. Any employee of the Boston Public Library who is found after an investigation to have harassed and or discriminated against another in the workplace **will be subject to disciplinary action up to and including termination.**

FURTHER INFORMATION

- The BPL Human Resource Office and the Office of Affirmative Action is sensitive to the thoughts and feelings of those involved and will treat every employee seeking advice or filing a complaint with seriousness and maintain confidentiality to the extent practicable.
- Any form of retaliation against an employee who has filed a complaint or who has cooperated in the investigation of such a complaint will not be tolerated and will be the subject of a separate harassment complaint and investigation.
- At any time, you may file a complaint through the State or Federal agencies or courts empowered to enforce anti-harassment laws.
- In addition to a formal investigation procedure of the complaint, **an informal mediated procedure** may be available to you depending on the severity of the incident in the agreement of all parties to mediate the matter.

OTHER LEGAL RECOURSE

STATE

Massachusetts Commission Against
Discrimination (MCAD)
One Ashburton Place, Room 601
Boston, MA 02108
617/ 727-3990
(180 days filing period from date of violation)

FEDERAL

U.S. Equal Employment Opportunity
Commission (EEOC)
617 / 565-3200
(300 days filing period from date of violation)

BOSTON PUBLIC LIBRARY

Internet and Online Computer Services Use Policy for Library Staff

The Boston Public Library's computer networks are connected to the Internet and other online services in order to allow Library staff to serve the public more efficiently and effectively. The Library's hardware, software, connections and peripherals are the property of the Boston Public Library and are to be used only for business purposes of the Library. Internet connections, e-mail, and other technology resources are to be used for business purposes. Employees, at all times, are to use such resources in a lawful, ethical, and business like manner in their individual and collective capacity. An employee's use of the Library's e-mail system and/or access to the Internet constitutes his/her agreement to comply with the provisions of this policy.

Use of these capabilities is subject to the same management oversight and supervision as any other employee activity. Such use must conform to all applicable laws and regulations. All official policies and procedures established by the Library President or his/her designees to regulate the behavior and performance of Library employees shall apply to the use of these computer capabilities. Failure to comply with the guidelines in this policy may result in termination, suspension, or other limitation of an employee's privileges for access to Internet-related capabilities, and may be the cause for further discipline up to and including termination.

These regulations may be updated from time to time and amended at the discretion of the Library President.

The following use of the e-mail/Internet system is strictly prohibited: users receiving such material must immediately report the incident to their supervisor who will take appropriate action consistent with this policy:

1. The creation and exchange of messages that are potentially offensive, harassing, defaming, obscene or threatening;
2. Any illegal activity, including but not limited to, the transmission of copyright, or trade secret material, or the participation in any type of criminal activity;
3. The transmission of materials or communications used for commercial promotion, product endorsement, or any profit-making activity;
4. The transmission of materials or communications concerning political activity, whether partisan or non-partisan, for or against any party, person, organization, or faction thereof;
5. The transmission of materials or communications that may violate the state Conflict of Interest Law, Campaign Finance Law, or other law affecting the conduct of public employees.
6. Messages should not be read or sent from another user's account except under proper delegate arrangements;

7. Altering a message or attachment received from another user without the permission of the originator;
8. Users must not compromise the privacy of their password by giving it to others or exposing it to public view;
9. Retain messages only if relevant to the business or an anticipated litigation. Messages will be retained by the e-mail system for not more than 60 days;
10. Sending "all staff e-mails" is limited to those having a business purpose, such as GANs, emergency notices, library events, and other similar information. It is not to be used as an open bulletin board. Messages sent unnecessarily can impact system and user performance. If in doubt about the use of "all staff e-mails", consult your supervisor;
11. Attempts to violate the computer security systems implemented by the Boston Public Library or other institutions, organizations, companies, or individuals;
12. Software piracy, or the downloading and transferring of software for which the user does not have the proper licensing.

E-mail messages are considered public records, pursuant to Massachusetts General Law, Chapter 66, and are therefore legally discoverable and subject to record retention policies. Employees should not expect that e-mail messages (even those marked "personal") are private or confidential. Once e-mail or any Internet connection, e.g. "cookie," is created it becomes public record subject to the provisions of the Public Records laws.

The Human Resources Office may, for legitimate business reasons, approve the monitoring of e-mail messages. Legitimate business reasons include, but are not limited to, system checks, review of employee productivity when proper usage is called into question by a supervisor, investigations into claims of possible criminal activity, and investigations into claims of inappropriate use of the Library's Internet or online services.

Users of electronic mail services should be aware that even though the sender and recipient have discarded their copies of an electronic mail record, there may be back-up copies that can be retrieved. Systems may be "backed-up" on a routine or occasional basis to protect system reliability and integrity, and to prevent potential loss of data. The back-up process results in the copying of data onto storage media that may be retained for periods of time and in locations unknown to the originator or recipient of electronic mail. The practice and frequency of back-ups and the retention of back-up copies of email vary from system to system.

The Boston Public Library does not maintain central or distributed electronic mail archives of all electronic mail sent or received. Electronic mail is normally backed up, if at all, only to assure system integrity and reliability, not to provide for future retrieval, although back-ups may at times serve the latter purpose incidentally. Operators of

Boston Public Library electronic mail services are not required by this Policy to retrieve email from such back-up facilities upon the holder's request, although on occasion they may do so as a courtesy.

All users are expected to undertake precautions to prevent infection of Library computers by computer viruses. In particular, executable programs imported from other sites to Library computers must not be used unless they have been authorized by the Systems Office and they have been subjected to virus detection procedures approved by the Systems Office. The Systems Office may, from time to time, impose additional restrictions or regulations on the importing of remote files and such restrictions or regulations shall be considered part of this Policy.

Use of the Library's system constitutes consent to monitoring of e-mail transmissions and other online services and is conditioned upon strict adherence to this Policy.

Managers and supervisors are responsible for ensuring that all their employees using computers have read this policy and understand its applicability to their activities.

Boston Public Library

Installation and Operation of 3M Materials Security System at the Central Library

The 3M Materials Security System will be installed in the Central Library during the week of September 17-21, 2001. Gates are being installed in the Johnson Building Lobby, the Audio-Visual Department and the McKim Lobby. On Monday, September 24 the system will be activated. The installation and activation of a materials security system has long been desired by staff, and the completion of the installation at the Central Library is a significant step in the realization of a long-term goal.

Library materials, existing and new, have been given security markers. These 3M system security markers are "read" as the item passes through the security gates. Material is sensitized, "turned on," when it is within the buildings and desensitized, "turned off," as it is checked out to leave the buildings.

Once the gates are installed the Guard Service and the Inspection and Information Services staff will be following procedures outlined in the Boston Public Library Materials Security Manual. If you have not seen a copy of the manual, please request one from Cindy Phillips, CLSO.

If an alarm goes off, security people will have to investigate to determine the cause. Incident reports are written if it is determined that the material was not checked out properly; this will apply to staff as well as patrons. During the first week as we get used to the system and work out fine details of the procedures there will be a "grace" period when no reports will be written. After this grace period a report will be written up for any individual, patron or staff, exiting with materials which have not been properly checked out. As a reminder, staff should not be exiting through the Shipping Room.

This installation is another phase in the plan to have material security systems at all of our locations. Currently the following locations already have the system activated, Allston, Brighton, Codman Square, Dudley, Kirstein and West Roxbury. After the Central system is activated we will begin work to install equipment in the remaining locations.

Boston Public Library

Emergency Evacuation Procedures for the Central Library

To the Library Staff:

The Library's Health and Safety Committee has been reviewing and updating the April 2000 Emergency Evacuation Procedures for the Central Library. A revised edition will be distributed to staff shortly. Until the new edition is distributed, I want to remind staff of the fundamental elements, as follows:

1. All Central Library Supervisors are responsible for showing new staff emergency evacuation routes from their department. Any staff member that is unsure of the evacuation route should consult with their supervisor; any supervisor that is unsure of the evacuation route should consult with the Facilities Department. Please note that the April 2000 Emergency Evacuation Procedures does not reflect departmental moves made over the past year and a half.
2. Supervisors should be clear about the designated meeting area outside the building for staff, and staff should commit to reporting to the designated meeting area so their supervisor can assure that all are accounted for. As a reminder, Johnson Building staff should gather on the far side of Boylston Street, outside Dunkin Donuts; McKim Building staff should gather in Copley Square Park, across from the McKim Building.
3. Wear your library identification badge at all times to facilitate building reentry and for safety and security reasons. The badge will insure that Security limit building reentry to staff, ahead of the public.
4. As a reminder, the McKim and Johnson buildings are two separate buildings, with two separate addresses and two separate fire alarm systems. This means that if one building goes into alarm, the other building does not automatically go into alarm. For staff and the public this means that only the building that is in alarm needs to be evacuated.
5. If you hear any unscheduled alarm, immediately leave you work area.
6. On your way out of the building report to Security the location of any disabled person who may be in a fire tower or other designated locations who will be in need of Fire Department assistance.
7. Go to your department's designated meeting area after evacuating the building. Check in with your supervisor to insure that all are accounted for.

8. Once the all-clear is given, report back to your work site as directed by your supervisor.

9. Each department should have a back-up staff member who will be responsible for organizing an evacuation in the event the Supervisor is absent.

To supervisors, if you haven't reviewed the evacuation routes for your department with your staff recently, please make time to do so now. The revised Evacuation Procedures will be distributed shortly.

Ruth Kowal, Director of Operations
Ext. 2351, rkowal@bpl.org

September 17, 2001

BOSTON PUBLIC LIBRARY

Incoming Bag and Parcel Checking to be Reinstated at Central Library

To the Library Staff:

For the safety and reassurance of all, the Central Library will be reinstating incoming bag and parcel checking on Wednesday September 19th. The checking will take place at both the Johnson and McKim entrances, and applies to everyone entering either building. This also applies to anyone entering the building before the 9:00 a.m. public opening. The Shipping Room is not to be used as either an entrance or an exit from the Copley Square facility. This applies to all staff, vendors, contractors, and visitors to the Library.

Ruth Kowal, Director of Operations
rkowal@bpl.org, ext. 2351

September 18, 2001

BOSTON PUBLIC LIBRARY

Employee Handbook Update

To Members of the Staff:

Attached is updated Appendix information to add to the Boston Public Library Employee Handbook. In order to update your Handbook, please do the following:

1. Remove the *Boston Public Library Appendix* cover sheet which lists all of the items contained in the Appendix. This can be found on the backside of page 64 in your handbook.
2. Replace this with the new *Boston Public Library Appendix* cover sheet that is attached to this GAN. Note that this sheet is double-sided so you will not lose any information that was contained on page 64. "
3. At the very end of your handbook put the attached Guidelines for Behavioral Performance of Reference and Information Service Providers. It will now be the last page of your handbook.

The Boston Public Library's Intranet (DEMO server) is now updated to reflect this revision. The Handbook can be found on the Human Resources page of this site. We will continue to keep you informed as any future revisions occur.

David C. Young
Director of Human Resources

July 8, 2002

Immigration Policy	John Boyle, Coordinator Office of Unemployment	635-4240
Labor Relations	Michael Reagan, Director Office of Labor Relations	635-4525
Leaves of Absence	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371
Life Insurance	Eugene Pastore, Deputy Director Health Benefits	635-4570
News Media Relations	Jacquelyn Goddard, Press Secretary Mayor's Office	635-4461
Orientation Program	Frank Holbrook, Training Coordinator Office of Human Resources	635-3950
Performance Appraisals	Thomas Francis, Assist. Supervisor Office of Human Resources	635-3031
Personal Days	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371
Posting Positions	Dr. Arlene Grant, Director Affirmative Action Office	635-3360
Residency Policy	Richard Driscoll, Deputy Director Office of Human Resources	635-3374
Retirement	Donna Mueller, Director Retirement	635-4305
Sick Leave	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371
Sick Leave Redemption	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371
Vacation Leave	Frank Firicano, Sr. Admin. Asst. Office of Human Resources	635-3371

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APPENDIX

- I. American Library Association Code of Ethics
- II. Mayor's Four Hour Leave for Cancer Screening
- III. GAN 2000 – 141 Media Policy
- IV. GAN 2000 – 165 Respectful Workplace
- V. GAN 2000 – 167 Freedom of Information Act
- VI. GAN 2000 – 183 Performance Evaluation
- VII. Eilery Sedgwick Trust Fund Policy
- VIII. Sick Benefit Trust Fund Policy
- IX. Zero Tolerance for Violence Policy
- X. GAN 2000 – 208 Annual Leave Carryover Management / Exempt Staff
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- XII. GAN 2000 – 139 Staff ID Badges
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- XIII. Sexual Harassment Policy
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Guidelines for Behavioral Performance of Reference and Information Service Providers

Introduction

The intentions of these guidelines are to assist in the training, development, and/or evaluation of reference providers who deliver information services directly to library clients. The reference provider is any staff member who assists clients with reference questions. The guidelines are designed primarily to deal with instances in which the client and the reference provider are working face to face, although many suggestions will apply to reference work done by telephone, by mail, or electronically.

1.0 Approachability

In order to have a successful reference transaction, the client must be able to identify that a reference provider is available to give assistance and must feel comfortable in going to that provider for help. Approachability behaviors set the tone for the entire communication process between the provider and the client. The initial verbal and non-verbal responses of the provider will influence the depth and level of the interaction between the provider and the client. At this stage in the process, the behaviors exhibited by the provider should serve to welcome the client and to place him/her at ease. The provider's role in the communications process is to make the client feel comfortable in a situation which may be perceived as intimidating, risky, confusing, and overwhelming. To be approachable, the provider:

- 1.1 Is poised and ready to engage approaching clients and ready to drop instantly any other activities that detract from the availability to the client.
- 1.2 Establishes initial eye contact with the client.
- 1.3 Acknowledges the presence of the client through smiling and / or open body language.
- 1.4 Acknowledges the client through the use of a friendly greeting to initiate conversation and / or by standing up, moving forward, or moving closer to the client.
- 1.5 Acknowledges others waiting for service.
- 1.6 Remains visible to clients as much as possible.
- 1.7 Moves through the reference area offering assistance whenever possible.

2.0 Interest

A successful reference provider must demonstrate a high degree of interest in the reference transaction. While not every query will contain stimulating intellectual challenges, the provider should be interested in each client's informational needs and should be committed to providing the most effective assistance. Providers who demonstrate a high level of interest in the inquiries of their clients will generate a higher level of satisfaction among users. To demonstrate interest, the provider:

- 2.1 Faces the client when speaking and listening.
- 2.2 Maintains or re-establishes eye contact with the client throughout the transaction.
- 2.3 Establishes a physical distances which appear to be comfortable for the provider and the client, based upon the client's verbal and nonverbal responses.
- 2.4 Signals an understanding of the client's needs through verbal or non-verbal confirmation, such as nodding of the head or brief comments or questions.
- 2.5 Appears unhurried during the reference transaction.
- 2.6 Focuses his/her attention on the client.
- 2.7 Generally, client present receives service before telephone clients. Please be mindful of the duration of time a client remains on hold. Courtesy applies to both clients waiting whether on hold or in person.

3.0 Listening/Inquiring

The reference interview is the heart of the reference transaction and is crucial to the success of the process. The reference provider must be effective in identifying the client's information needs and must do so in a manner that keeps the client at ease. Strong listening and questioning skills are necessary for a positive interaction. As a good communicator, the provider:

- 3.1 Communicates in a receptive, cordial, and encouraging manner.
- 3.2 Allows the client to state fully his/her information need in his/her own words before responding.
- 3.3 Rephrases the client's question or request and asks for confirmation to ensure that it is understood.

3.4 Uses open-ended questioning techniques to encourage the client to expand upon the request or present additional information. Some examples:

- Please tell me more about your topic.
- What additional information can you give me?
- How much information do you need?
- Where have you already looked?

3.5 Uses closed and / or clarifying questions to refine the search query. Some examples of clarifying questions are:

- What have you already found?
- What type of information do you need (books, articles, etc.)?
- Do you need current or historical information?

3.6 Seeks to clarify confusing terminology and avoids excessive jargon.

3.7 Maintains objectivity and does not interject value judgments about subject matter or the nature of the question into the transaction.

4.0 Searching

The search process is the portion of the transaction in which behavior and accuracy intersect. Without an effective search, the desired information is unlikely to be found. Yet many of the aspects of searching that lead to accurate results are still dependent on the behavior of the reference provider. As an effective searcher, the provider:

4.1 Selects search terms that are most related to the information desired.

4.2 Explains search strategy to client.

4.3 Consults guides, databases, or other providers for assistance when he/she cannot independently identify sources to answer the query.

4.4 Accompanies the client (at least in the initial stages of the search process).

4.5 Explains how to use electronic and paper sources.

4.6 Works with the client to narrow or broaden the topic when too little or too much information is identified.

4.7 Provides complete source/citation to information.

4.8 Asks the client if additional information is needed after an initial result is found.

4.9 Recognizes when to refer a client to a more appropriate librarian, library, or other resource person.

5.0 Follow-up

The reference transaction does not end when the reference provider walks away from the client. The provider is responsible for determining if the client is satisfied with the results of the search and is responsible for referring the patrons to other sources, even when those sources are not available in the local library. For successful follow-up, the provider:

5.1 Asks the client if the question has been completely answered. Encourages the patron to return to the reference services point for further assistance.

5.2 Consults other providers when additional subject expertise is needed.

5.3 Makes arrangements, when appropriate, with the client to research a question even after the client has left the library.

5.4 Tries to ensure that the client will get appropriate service after a referral by providing accurate information about the query to the next provider or other resource person, including the amount of information required and sources already consulted.

5.5 Facilitates the process of referring a client to another library or information agency through activities such as calling ahead providing direction and instructions, and providing the library and the client with as much information as possible.

5.6 Refers the client to other sources or institutions when the query cannot be answered to the satisfaction of the client.

Adapted from "Guidelines for Behavioral Performance of Reference and Information Services Professionals". Copyright © 2001, American Library Association.

6/14/2002

